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R U L E S
of the
CIVIL SERVICE COMMISSION
of
SAN FRANCISCO
CALIFORNIA

Issued by order of the Civil Service Commission of
San Francisco, January 12, 1944

HARRY K. WOLFF, *President*
JOHN W. BENDER, *Vice President*
MILTON S. MAXWELL, *Commissioner*

Attest:

KATHLEEN DOLEN, *Secretary*

THE CHAS. L. CONLAN PRINTERS



RULES OF THE CIVIL SERVICE COMMISSION OF SAN FRANCISCO

RULE 1.—CLASSIFICATION

Section 1. **CLASSIFIED SERVICE:** The classified service shall include all positions in the City and County service subject to competitive examination and/or Salary Standardization.

Section 2. **POSITIONS EXEMPT FROM THE CLASSIFIED SERVICE:** The following shall be exempt from classified service; and shall constitute the unclassified service: all elected officials specifically exempt by charter provisions; members of Boards or Commissions; teaching and other technical forces of the school department; employees of the Steinhart Aquarium; employees of the Law Library; construction employees engaged outside of the City and County; and department heads and other employments specifically exempt by law from both competitive examination and Salary Standardization.

Section 3. **CLASS TITLE:** The term "Class Title" means the designation given under these rules to a class and to each position allocated to a class. The Class Titles and Class Numbers assigned to positions by the Commission shall be used in all records, reports, statements and communications, including the compensation schedule, annual budget, and Salary Ordinance, payrolls, and appropriation ordinances. Classes in the classified service exempt from Civil Service examinations, or exempt from Salary Standardization shall be designated with an appropriate symbol.

Section 4. **CLASS (OR CLASS OF POSITION):** The term "class" or "class of position" means a position or group of positions for which a common descriptive class title may be used. Such positions, as established by Civil Service law or rules, which are sufficiently similar in duties and responsibilities and require sufficiently similar training and experience for qualification thereto that the same descriptive title may be used to designate each position and that the same schedule of pay may be applied with equity under the same, or substantially the same, employment conditions shall be allocated to the same class. Class specifications are descriptive and explanatory and not restrictive. They are intended to indicate the kind of position that should be allocated to the several classes and shall not be construed as prescribing what the exact duties and responsibilities of each individual position allocated to the class shall be. The use of any particular illustration of duties or responsibilities shall not be held to exclude others of similar kind or quality not specifically mentioned.

Section 5. **SUB-CLASSES:** When for purposes of recruitment it is deemed desirable that a more specialized scope should apply to employments within a given class, the Civil Service Commission shall in its discretion set up sub-classes. Such sub-classes shall be deemed as part of the general class of which they are a subdivision for purposes of salary treatment. And provided further that when such sub-classes are set up it shall be clearly indicated on scope circulars, eligible lists and all records as required in Section 3, and shall be treated under the Civil Service provisions of the Charter as separate entities.

Section 6. **REPORTS FROM APPOINTING OFFICERS:** Appointing Officers shall immediately notify the Civil Service Commission of the proposed creation or abolishment of any position and of any change in duties of existing positions as provided in Section 143 of the Charter.

Section 7. **AMENDMENTS TO CLASSIFICATIONS.** The Civil Service Classifications of positions may be amended at any meeting of the Commission. All requests for amendments of classifications or changes in allocation of positions shall be posted on the blackboard of the business office of the Commission for a period of at least one week before such request shall be acted upon by the Civil Service Commission. The allocation or reallocation of a position shall not adversely affect the Civil Service rights of an occupant regularly holding such position.

Section 8. **OFFICIAL COPY:** The Secretary shall maintain in convenient form for workable purposes an accurate and complete copy of the position classification plan to be designated as the official copy. Such copy shall be currently maintained reflecting all changes made in classifications. All changes made in allocations of positions shall be recorded in the official minutes of the Commission.

(Sec. 144.)

RULE 2.—APPLICANTS

Section 1. **QUALIFICATIONS:** Every applicant must be a citizen of the United States, at least twenty-one years of age on the date of filing application, and at that time must possess the qualifications required by the Charter and by the scope-circular of the examination for which he applies.

Section 2. **CHARACTER AND FITNESS:** Applicants must be of good moral character, of temperate and industrious habits and in all respects competent and fit to perform the duties of the position applied for. No person who has been dismissed from the service of the City and County after a hearing on charges or who has resigned from a position while he is under suspension or while charges are pending against him or whose services had not been satisfactory shall be eligible to participate in any examination except with the consent of the Civil Service Commission obtained at a meeting of the Commission, and any standing secured by examination without such consent shall be void.

(Sec. 144.)

RULE 3.—APPLICATIONS

Section 1. **NOTICE OF EXAMINATIONS:** Requests for notice of dates when applications may be filed for any examination must be made on printed forms provided by the Commission. When date of examination has been set, notice thereof will be sent to the inquirers, at their risk, by mail. A separate written request must be made for each class.

Official notice of entrance examinations will be published in the official newspaper, and posted on the bulletin board in the business office of the Civil Service Commission and, if further notice is deemed necessary or proper, the same may be ordered by the Commission.

When examinations for promotion are to be held, the Commission will give notice thereof to all persons in positions entitling them, under the scope-circular and the civil service rules, to participate in such examinations, by posting information thereof in the business office of the Commission for a period of ten days and by notifying the departments concerned.

Section 2. **DISTRIBUTION AND RECEIPT:** Application forms shall be distributed only after the date has been set by the Commission for the examination for which they are to be used. They must be filed at the office of the Commission and will be received only during the time indicated in the examination scope-circular.

Under no circumstances shall application forms for any examination be distributed after the closing time for receipt of applications for such examination has passed.

Section 3. **DEFECTIVE APPLICATIONS:** Applications must be filed absolutely in accordance with the conditions stated in the examination scope-circular. Applicants filing applications defective in any particular may be rejected or penalized in examination ratings in accordance with the gravity of such defects.

Section 4. **NOT TO BE RETURNED:** Applications filed with the Commission shall become the property of the Commission and under no circumstances will be returned to applicants or allowed to be altered or added thereto.

Section 5. **UNUSED:** Unless otherwise ordered by the Commission, applications for one examination shall not be used for any other or later examinations.

Section 6. **NO VARIATION IN NAME:** Applicants must give correct and full name in applications and there must be no variation in the applicant's name in any part of the application or in the vouchers.

Section 7. **NAMES NOT TO BE MADE PUBLIC:** The names of applicants for any examination shall not be made public prior to announcement of result of examination. Names of participants who fail in any examination shall not be made public.

Section 8. **FALSE STATEMENTS:** False statements of any kind made or permitted by any applicant in his application or vouchers shall be good cause for the exclusion by the Commission of such person from any examination, the removal of his name from the register of eligibles and for his removal or discharge from the public service.

Section 9. **CERTIFICATION OF EXPERIENCE ON THE APPLICATION FORM:** Applicants must record on their application form a true and complete statement of experience and must take an oath before an officer authorized to administer oaths in this state that such statement of experience is true.

(Sec. 144.)

RULE 4.—EXAMINATIONS

Section 1. **FORMS OF:** Examinations shall be practical in character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed. All examinations shall be absolutely impartial and shall be conducted under the control of the Commission and may consist of one or more of the following forms: (1) Assembled Written Examination; (2) Non-Assembled Written Examination; (3) Oral Examination; (4) Non-Educational Examina-

tion; (5) Athletic Test; (6) Physical Test; (7) Practical Test; (8) Medical Examination.

Section 2. ASSEMBLED WRITTEN EXAMINATION: This form of examination shall be so managed and conducted that no examination paper will disclose the name or identity of any participant until all the examination answer sheets shall have been marked; provided that when a minimum passing mark has been fixed for any or all parts of such written examination the identification sheets of the candidates receiving less than such passing mark may then be opened for the purpose of eliminating such candidates, but the identification sheets of the remaining participants shall not be opened until all the subjects of the entire examination shall have been completely and finally rated.

No helps of any kind shall be allowed during the examination, unless by order of the Civil Service Commission and then identical helps shall be afforded all candidates. Any other written or printed matter that might be of aid in the examination must be handed in to the Examiners before the examination is commenced. Any applicant cheating or attempting to cheat or copy from a competitor shall be removed from the examination and shall thereafter be ineligible to the public service.

No questions shall be explained to any individual competitor; all necessary explanations shall be made to the whole class. All conversation or communication between or among competitors is strictly prohibited.

Section 3. NON-ASSEMBLED WRITTEN EXAMINATION: This form of examination shall be managed and conducted in such manner as may be deemed necessary by the Commission according to the class of position involved and may include such subjects as education, experience, and non-assembled test on writings, including publications, reports, essays, or theses, to be filed at such time and in such manner as may be announced by the Commission.

Any written report, essay, thesis or other paper, filed in a non-assembled written examination, shall be accompanied by the affidavit of the applicant sworn to before the Chief Examiner, or before a person authorized by the laws of the State to administer oaths, that such report, thesis or other paper has been wholly prepared by himself, and not by or with the help of any other person, except as to the questions and excerpts therein which are to be duly credited to the authors quoted.

Section 4. ORAL EXAMINATION: This form of examination may be used by the Commission whenever deemed necessary for rating on personality and fitness, including age, personal appearance, address, personal history, and such other matters as in the judgment of the Commission may seem just and proper.

Section 5. NON-EDUCATIONAL EXAMINATION: In the discretion of the Commission, this form of examination may be used for the mechanical trades and occupations. Applicants for such positions "may be rated solely on experience and physical qualifications, which may be demonstrated by such evidence and in such manner as the Commission may direct, and such applicants may be submitted to such further tests as the Commission may require".

Section 6. ATHLETIC TESTS: These tests shall be used in connection with examinations for policemen, firemen, jailers, deputy sheriffs, railway motormen and conductors, and may be used in connection with such other examinations as the Commission may direct.

Section 7. PHYSICAL TESTS: These tests include tests not fully covered by athletic tests, such as hopping on one foot, or carrying sack of sand, and other forms of tests, and may be used in examinations for laborers, janitors, watchmen and such other examinations as the Commission may direct.

Section 8. PRACTICAL TESTS: These tests include the actual doing of the work of the position for which the examination is held or similar substitute tests any may be used in examination for the trades and skilled occupations or such other examinations as the Commission may direct.

Section 9. MEDICAL EXAMINATIONS: The Commission may at any time require that applicants shall undergo medical examination, and in such cases the applicants who fail to pass the medical examination shall stand rejected until otherwise ordered by the Commission.

All eligibles for places of employment in the Classified Civil Service must be physically qualified for the positions they seek, and, unless otherwise ordered by the Commission shall, before certification for permanent appointment, be required to pass satisfactory medical examination before physicians employed for such purpose by the Commission. Eligibles who appear before the medical examiners employed by the Commission and who fail to pass the required medical examination shall stand rejected, provided that persons so rejected may within a period of six months from the date of such rejection apply to the Commission for medical re-examination and if such re-examination is allowed and the candidate is found to be physically qualified he may be restored to eligibility.

The Commission may also require that eligibles for temporary or seasonal appointments shall, before certification for employment, present a doctor's certificate showing that they are physically qualified to perform the duties of the temporary position and that they are not afflicted with any infectious disease or any physical defect that would make them repugnant to the public or to fellow employees. Eligibles for permanent appointments who have been rejected in the medical examination, shall also stand rejected for temporary appointments, unless otherwise ordered by the Commission.

Section 10. LABORERS: Examination of laborers shall relate only to physical qualifications and experience, and laborers establishing their fitness shall rank upon the qualified register in order of their priority of application. When notified, candidates on the original register shall present themselves for examination. Candidates failing to appear for examination when notified by the Commission shall be removed from the register.

Section 11. PROMOTIONAL: Whenever it deems it to be practicable, the Commission shall provide for promotion in the service on the basis of such examinations and tests as the Commission may deem appropriate, and shall, in addition, give consideration to ascertained merit and records of city and county service of applicants. The Commission shall announce in the examination scope-circular the next lower rank or ranks from which the promotion may be made. All promotions in the police and fire departments, respectively, shall be made from the next lower rank on the basis of examinations and tests, seniority of service and meritorious public service being considered.

Section 12. SCOPE-CIRCULAR: The official notice of the examination shall be known as the scope-circular. The Commission shall, by resolution, adopt a scope-circular for each examination, or each set of examinations, and such scope-circular shall contain the name, date, place and scope of each examination, and such details as the Commission may decide upon with regard to information for the applicants, the conduct of the examination, and the maximum duration of eligibility, if for less than four years. Such scope-circular when adopted shall become part of this rule but shall govern only the examination or examinations to which it applies. Applicants must read carefully, and be guided solely by, the scope-circular of the examination for which they apply.

Section 13. Persons holding appointment in a regular permanent position in one class shall not, while holding such appointment, be permitted to participate in any subsequent examination held for such class, and any examination standing secured in violation of this section shall be void; in short, no person may be an appointee in a permanent regular position of one class and at the same time be an eligible for appointment to a position in the same class.

Except with the express permission of the Civil Service Commission, a person holding permanent civil service appointment in a regular position in the municipal service shall not be permitted to participate in an entrance examination for a different classification for which the recommended salary range is less than the salary range recommended for the class in which he holds permanent status. Applications submitted contrary to the provisions of this section shall be rejected. (Sec. 145.)

RULE 5.—QUESTIONS

Section 1. PREPARATION: All questions for written examinations shall be prepared by the Commission or by a representative authorized to act by resolution of the Commission. No questions pertaining to religious or political opinions or affiliations will be allowed at any examination or proceeding.

Section 2. CUSTODY: The examination questions for written examinations shall be placed in the custody of the Chief Examiner and shall be kept securely sealed under the official seal of the Civil Service Commission. Said questions in all written examinations shall be printed solely under the supervision of the Chief Examiner.

RULE 6.—SEALING IDENTIFICATION SHEETS

In written examinations each competitor must write his full name and address upon the identification sheet and securely seal the same. After all examination papers shall have been handed in, they shall be shuffled face down on a table so that it will be impossible to tell the location of any candidate's papers. Each set of papers, and the sealed identification sheet of such set, shall then be stamped with the same number. The identification sheets shall then be detached and wrapped into a package and this package shall then be sealed with the official seal of the Civil Service Commission. The sealed package shall not be opened until all the answer sheets have been finally marked, and then only upon order of the Commission. (Sec. 141.)

RULE 7.—IDENTIFICATION MARKS

Section 1. **DISQUALIFICATION:** Any competitor in a written examination, who places any form of identification mark upon his examination answer sheets, shall be deprived of all benefits under such examination. No written examination answer sheets having identification marks shall be marked or graded.

Section 2. **MARKS OF IDENTIFICATION:** The following are declared to be marks of identification within the meaning of Section 1 of this rule:

- (a) The real name or address of applicant;
- (b) Any assumed or fictitious name or address;
- (c) Names of individuals or firms used on any of the answer sheets;
- (d) Any initials, lines, signs, marks, or characters that may indicate the identity of the applicant.

(Sec. 141.)

RULE 8.—MARKING AND GRADING PAPERS

Section 1. **EXAMINATIONS:** All examination papers shall be marked and graded, in the office of the Commission, in accordance with the regulations of the Commission, under the supervision of the Chief Examiner. Persons not in the employ of the Commission shall not be permitted to view examination papers that are in the course of rating or to communicate with examiners while they are engaged in the rating of examination papers. All incompleting examination papers shall be securely locked in the safe or vault of the Commission during any suspension of rating and under no circumstances shall they be left unguarded by the examiners unless so locked.

Section 2. **RATING:** Unless otherwise provided in the examination scope-circular, each subject shall be marked on a scale of 100. A relative weight shall be given to each subject. The product of the total credits awarded on a subject multiplied by the weight of the subject will constitute the rating on that subject. By dividing the sum of the ratings by the sum of the relative weights, the general average percentage is ascertained. When the "point" system is to be used for rating, the details thereof shall be indicated in the examination scope-circular.

Section 3. **DISCONTINUANCE:** Whenever a participant fails to secure the passing mark fixed for any part of an examination, or for any subject of an examination, he shall be deemed to have failed, and further rating in such case shall be discontinued.

(Sec. 141.)

RULE 9.—MINIMUM STANDING

The Commission may, for each examination, establish a passing mark or may determine the total number of persons who shall constitute the list of eligibles.

(Sec. 145.)

RULE 10.—PREFERENCE TO WAR VETERANS AND THEIR WIDOWS

Section 1. **"VETERAN" DEFINED:** The term "veteran" as used in this rule shall be taken to mean any person who has been mustered into, or served in, the Army, or enlisted in, or served in, the Navy or Marine Corps, of the United States, in time of war and received an honorable discharge or certificate of honorable active service.

Section 2. **ENTRANCE EXAMINATIONS:** Veterans with thirty days or more actual service, and widows of such veterans, when the passing mark has been attained in any examination, shall be allowed an additional credit of 5 per cent in making up the list of eligibles secured by such examination.

Section 3. **PROMOTIVE EXAMINATIONS:** In the case of promotive examinations, when the passing mark has been attained, a credit of 3 per cent shall be allowed to veterans or to widows of such veterans.

Section 4. **LIMIT TO ENTRANCE AND PROMOTIVE PREFERENCE:** In accordance with charter provision, not more than one entrance appointment and one promotive appointment may be allowed to any one person from eligible lists on which the ranking of the employee includes credit for veteran's preference. When an eligible receives such an entrance or promotive appointment and successfully completes his probationary period, such other additional preference credits that have been allowed him on other entrance or promotive eligible lists, as the case may be, shall be automatically cancelled and his rank shall be revised to accord with his relative standing before such additional credits were added.

Section 5. **PERMANENT DISABILITY PREFERENCE:** When in its judgment it shall seem just and proper, the Civil Service Commission may, for spe-

cific City and County services or employments, as determined by the Commission, allow general or individual preference, but not less than 10 per cent, for entrance appointment of veterans who have suffered permanent disability in line of duty, provided that such disability would not prevent the proper performance of the duties required under such service, or employment, and provided that such disability is of record in the United States Veterans Bureau, as of July 1, 1920.

Section 6. **PREFERENCE MUST BE CLAIMED WHEN FILING APPLICATION:** Claim for regular preference under this rule must be made in writing at time of filing application and must be accompanied by proof of honorable discharge or honorable active service, otherwise same shall be deemed waived. Claim for disability preference must be accompanied by certified copy of record of United States Veterans Bureau. Under no circumstances may claim for veterans preference in an examination be made or withdrawn after the list of eligibles for such examination has been adopted.

Section 7. **WARS—PERIODS COVERED BY:** The war with Spain began with our declaration of war, April 24, 1898, and ended with the signing of the Treaty of Paris, December 10, 1898.

The war with Germany began with our declaration of war, April 6, 1917, and ended with the Armistice on November 11, 1918.

Section 8. **PROOF OF PREFERENCE CLAIM:** Veterans should submit with their applications their original discharge (or certificate of active service), or a photostat copy or certified copy thereof or, if this is not possible, an official record of their military or naval service based upon records of the War or Navy Department. Such document or record must show the period of active service so as to prove service for 30 days or more.

Section 9. **WIDOWS OF VETERANS:** Widows of veterans should submit the following with their applications:

Proof of husband's right to preference;

Marriage certificate or certified copy of church record or affidavit of two witnesses to marriage, or sworn statement of the person who performed the ceremony, so as to prove marriage;

Death certificate or other official record of husband's death, such as certificate of Pension Office or War Risk Bureau, or affidavits of two persons having knowledge of the facts;

Affidavits of two persons certifying that she was not divorced from husband and has not remarried since his death.

Section 10. **SURPLUS ABOVE 100 PER CENT:** Whenever the additional credit allowed veterans by law shall give a total of more than 100 per cent, the surplus above such 100 per cent shall be used for the purpose of determining the order in which such veterans shall take rank on the list of eligibles, and the candidate having the highest surplus shall take the highest rank.

(Sec. 145.)

RULE 11.—NOTICE OF STANDING

As soon as the rating of examination papers is completed the eligible list will be adopted and at the closing hour of business on the day the list is adopted a copy of the list will be given to the press and a copy thereof posted on the door (or on the blackboard) of the business office of the Commission. Each participant will be notified of his standing through the post office. No information regarding results of examinations or probable time of adoption of eligible lists shall be given out by telephone.

(Sec. 141.)

RULE 12.—INSPECTION OF RATING KEYS AND CIVIL SERVICE EXAMINATION PAPERS

Section 1. **INSPECTION OF RATING KEYS:** Prior to the rating of the examination papers, the questions asked in the written examination and the rating key answers will be available for five days, not including Sundays or Holidays, for inspection by participants in the examination. Unless special permission of the Personnel Director is obtained, participants shall not be allowed more than one inspection of the rating key. The time allowed for such rating key inspection may be extended or curtailed if in the judgment of the Commission, the needs of the service or the number of participants warrants. The examination papers of the applicants will not be available for inspection during the rating key inspection period. The purpose of this inspection of the rating key answers is to correct

any errors in the rating key answers or any of the questions asked in the examination that may be ambiguously or incorrectly phrased; therefore, protests by participants regarding the questions or the rating key answers must be filed in writing during this rating key inspection period. Following the close of the five day inspection period the rating key will be officially adopted by the Commission provided no protests have been filed. If any protests have been filed against the rating key within the five day inspection period, the questions protested and the key answers shall be immediately available to participants for an additional two day period, Sundays and holidays excepted, immediately following the five day inspection period, during which time the Commission will accept arguments supported by authorities which uphold the key answers. During this period the Commission may refer the questions and rating key answers to authorities for checking as to incorrect answers or ambiguously or incorrectly phrased questions. Following the close of the rating key inspection period, the final rating key will be officially adopted by the Commission. Protests made after the rating key has been officially adopted by the Civil Service Commission will not be considered.

Section 2 (a). **IMMEDIATE INSPECTION OF OWN PAPERS PRIOR TO COMPLETION OF EXAMINATION BY PARTICIPANTS FAILING IN WRITTEN PART OF EXAMINATION:** Where there are several parts in the examination, and participants failing in the written examination are excluded from the remainder of the examination, such participants shall be immediately notified of their failure. The examination papers of such participants shall be available for two days, not including Sundays or Holidays, for inspection by such participants, and protests on the written portion of the examination at this time must be made within the two-day inspection period on forms provided by the Civil Service Commission. Protests made at this time regarding the rating key will not be considered by the Civil Service Commission. Participants notified of their failure, whose examination status is not changed through subsequent Commission action will receive no further notification from the Commission.

Section 2 (b). **INSPECTION OF OWN EXAMINATION PAPERS BY PARTICIPANTS:** After the papers of an examination are rated and a tentative list of eligibles prepared, the said tentative list of eligibles shall be posted in the offices of the Civil Service Commission for a period of two weeks, during which time participants in the examination may inspect their own examination papers under the supervision of monitors employed by the Civil Service Commission. The examination papers of a participant are hereby defined to consist of the application filed by the participant and the questions and answers and all marks and grades relating to the examination of that particular participant, except that the identity of the oral examiners shall not be a part of such record. Protests by participants in regard to their ratings must be filed with the Civil Service Commission on forms provided by the Civil Service Commission within two days following the close of the final inspection period. Protests made at this time regarding the rating key will not be considered by the Civil Service Commission.

Section 3. **INSPECTION BY PARTICIPANTS OF THE PAPERS OF OTHER PARTICIPANTS OR INSPECTION OF PAPERS BY NON-PARTICIPANTS:** During the inspection period provided under Section 2 (b) of this rule, any citizen may inspect and copy the examination paper of any participant in the examination as provided in Section 2 (b) hereof, or any participant may inspect and copy the examination paper of any other participant in such examination, provided, however, that a fee of \$1.00 shall be charged and collected for the inspection of each examination paper inspected under the provisions of this section. Protests by persons inspecting examination papers under the provisions of this section must be filed with the Civil Service Commission on forms provided by the Civil Service Commission within two days following the close of the inspection period. Protests regarding the rating key made at this time will not be considered by the Civil Service Commission.

RULE 13.—REGISTERS OF ELIGIBLES

Section 1. **METHOD OF ENROLLMENT:** Successful candidates shall be enrolled upon the "Register of Eligibles" in the order of their relative excellence.

Section 2. **QUALIFICATIONS OF ELIGIBLES:** Eligibles must continue to possess the qualifications required of applicants by Section 1 and Section 2 of Rule 2, or loss of eligibility may follow.

(Sec. 145.)

RULE 14.—DURATION OF ELIGIBLE LISTS

Section 1. **TWO YEAR LIMIT:** The Civil Service Commission may remove all names from lists of eligibles after they have remained thereon for more than two years from the date of the adoption of the lists that created their eligibility.

Section 2. When a list of eligibles becomes exhausted for temporary or

permanent employment before the legal expiration of the list, and a new list of eligibles for the same class is created by examination to supply the demands of the service, said new list shall become a part of the list of eligibles to be certified for appointment to the positions covered by said list; provided, however, that subject to the provisions of Rule 21 those holding places on the first list shall be given preference for appointment until such time as said prior list may automatically expire or the names be removed therefrom by action of the Civil Service Commission. When the prior list has expired by reason of limitation of time, or the names thereon have been removed therefrom by order of the Civil Service Commission pursuant to authority vested in said Commission by the charter, then certification shall be made solely from the latter list.

Section 3. **LIMIT INTERMEDIATE TO TWO AND FOUR YEARS:** The Commission may provide in the scope-circular of any examination that the list of eligibles secured thereby shall automatically expire at a date not less than two, but less than four, years after the adoption of such list.

Section 4. **DATE OF ADOPTION OF LIST:** Changes of rank, or addition or subtraction of names, made on lists of eligibles because of clerical errors or re-ratings, shall not change the date of the adoption of such lists, nor give to any persons the right to claim beginning date of eligibility other than the date of the adoption of the original eligible list that created their eligibility.
(Sec. 145.)

RULE 15.—DEFINITION OF PERMANENT AND TEMPORARY (OR SEASONAL) POSITIONS

Section 1. **PERMANENT POSITION:** Under the authority of Section 141 of the Charter, for the purposes of the rules of the Civil Service Commission a "permanent position" is hereby defined as:

(a) A position that is definitely enumerated in the quantity column of the annual salary ordinance and for which funds have been provided to sustain it for the fiscal year involved; or

(b) Any position whose past history, and future prospects, of its tenure or existence, are such that in the judgment of the Civil Service Commission should cause such position to be treated as a permanent position; provided the filling of such position is authorized by the annual salary ordinance and annual appropriation ordinance, though not definitely enumerated in the quantity column of the annual salary ordinance; and provided further that, unless otherwise ordered by the Civil Service Commission, no position shall be designated a permanent position under this subdivision (b) of Section 1 of this Rule 15, except by resolution adopted by the Civil Service Commission, and then only after such position has been filled by at least two immediately succeeding temporary appointments for the maximum period of five months each and the Civil Service Commission, after investigation, then declares that such position shall be deemed, for the purposes of its rules, a permanent position.

Section 2. **TEMPORARY (OR SEASONAL) POSITION:** Temporary position and seasonal position, for the purposes of the rules of the Civil Service Commission, shall be deemed to have synonymous meanings and shall be treated alike. All positions that do not come within the definition of "permanent position" as described by Section 1 of this rule shall be deemed to be temporary (or seasonal) positions.

Section 3. **TENURE OF PERMANENT POSITION:** An appointee to a permanent position may hold such position as long as it may last, subject to the rules governing reduction in force, dismissals for cause, resignations, suspensions, relinquishments, and transfers.

Section 4. **TENURE OF TEMPORARY (OR SEASONAL) POSITION:** Appointments to temporary or seasonal positions shall automatically expire at the end of five months, and the names of the temporary appointees in such temporary positions shall then automatically return to their places on the register of eligibles and shall not again be considered for appointment to a temporary position under the same appointing officer until a period of at least one day has elapsed from the date that the previous temporary appointment had automatically terminated.

Section 5. **PERMANENT AND TEMPORARY (OR SEASONAL) POSITIONS TO BE TREATED SEPARATELY:** Appointments to permanent and temporary (or seasonal) positions shall be treated separately. Appointments to, or service in temporary (or seasonal) positions shall give no right nor preference for appointment to permanent positions. The Civil Service Commission shall be the judge as to whether a position should be filled as a permanent position or as a temporary (or seasonal) position.
(Sec. 148.)

RULE 16.—INFERIOR POSITIONS

Section 1. **DEFINITION:** Any position, in any class, to which are attached unusual duties or conditions, may, with the approval of the Secretary of the Civil Service Commission, be termed an *inferior* position and eligibles desiring to waive certification for appointment to such position may do so without penalty for consideration for appointment to a *regular* position. For the purpose of the records of the Commission, positions so termed as *inferior* shall be known as I.P.E.W. positions (*Inferior* position, exempt waiver). An eligible who accepts appointment to an "I.P.E.W." permanent position shall be entitled to certification for appointment to a *regular* permanent position in the same class should his rank be reached upon the eligible list for appointment to such regular permanent position.

Section 2. **CHANGE IN DUTIES:** When the duties or conditions of an "I.P.E.W." position governed by this rule are changed the appointment made to such position shall unless otherwise ordered by the Commission, become void, and the position so changed shall be offered out to the highest eligible on the list of eligibles for the class involved who is willing to accept such changed position.

Section 3. **ADVANCEMENT:** An eligible who accepts a civil service appointment to an *inferior, full-time, permanent* position, and serves in that *inferior, full-time, permanent* position, continuously, for a period of at least two years may, at the request of his appointing officer and with the consent of the Civil Service Commission, be certified for appointment or advancement to a *regular* position in the same class and under the same appointing officer, provided that the person to be so advanced must be the senior appointee in the department concerned having such standing in a *full-time, inferior, permanent* position and must have a record of satisfactory service in said department; provided, however, that any eligible accepting appointment to an *inferior permanent* position who, at the time of such acceptance is highest in line for appointment to a *regular* position, and no eligibles with higher rank are then under waiver, shall, when a vacancy thereafter occurs in a *regular* position under the appointing officer under whom he is serving, be automatically advanced to said *regular* position.
(Sec. 141.)

RULE 17.—EXEMPT PART-TIME POSITIONS

For the purposes of the rules of the Civil Service Commission an exempt part-time position is hereby defined as a position which requires service of five hours a day or less and to which position is attached a monthly compensation of seventy-nine dollars and fifty cents (\$79.50), or less, or a per diem wage of three dollars (\$3) or less, but when a per diem wage is paid, it shall in no case, in any calendar month, exceed a total of seventy-nine dollars and fifty cents (\$79.50); provided, however, that part-time positions which are not exempt part-time positions as defined above, may under extraordinary circumstances be exempted from Civil Service examination by special order of the Civil Service Commission when:

1. There are no civil service eligibles available to fill such positions;
2. such positions are authorized by appropriation and salary ordinance; and
3. the compensation of the position does not at any time exceed in the aggregate seventy-nine dollars and fifty cents (\$79.50) per month.

Such exemptions shall automatically terminate when qualified eligibles are available for appointment to such part-time positions, or may be terminated at any time by action of the Civil Service Commission when in the opinion of the Civil Service Commission conditions no longer warrant a continuation of such exemptions.

Part-time employees shall be recorded as such by a department head, only with the approval of the Civil Service Commission, and, when so recorded, shall be noted as part-time on pay rolls, budget estimates, salary ordinances, and similar documents.

RULE 18.—CREATION OF, OR CHANGE IN, POSITIONS

Section 1. **CREATION OF:** Positions in any department or office of the city and county may be created, as provided by the charter, by appropriation ordinance of the Board of Supervisors. Copy of each such ordinance creating or abolishing positions shall be filed, on the approval thereof, with the Civil Service Commission by the Clerk of the Board of Supervisors. Before the appointing officer shall make recommendation for the creation of any new or additional position in any department or office, he shall request and receive from the Civil

Service Commission the proper designation and classification of such position based on the duties and responsibilities thereof, and if such position is included in the classified civil service, the Commission may, in writing, express to the appointing officer and to the Board of Supervisors its opinion as to whether or not such position is needed.

Section 2. CHANGE IN: Immediate notice in writing shall be given to the Civil Service Commission by the appointing officer of each department and office of the City and County of the creation or abolition of any position, or of any change in duties if the position is included in the classified civil service, or of any appointment, resignation, suspension, dismissal or other creation of vacancy therein, or change in assignment from one bureau to another, with the date of any such change. If said appointing officer is also empowered to establish compensation rates or make changes therein, he shall immediately notify the Commission of any such rate or change therein. The Commission shall maintain a record of all such notifications.

(Sec. 143.)

RULE 19.—REQUISITIONS

INFORMATION NEEDED: Requisitions for the certification of eligibles shall be made upon forms provided by the Civil Service Commission, and shall be approved by the Controller as to the availability of funds, and by the Mayor before being filled by the Civil Service Commission. Unless otherwise ordered by the Commission, such requisitions properly giving the information requested on the requisition form, shall be filled in accordance with their priority of receipt in the office of the Commission. Upon receipt of said approved requisitions, they shall immediately be stamped, in the order of their receipt, with the time clock. A separate requisition shall be made for each permanent position to be filled. Group requisitions may be made only for temporary (or seasonal) positions. Requisitions must be signed by the appointing officer.

RULE 20.—CERTIFICATIONS

Section 1. ONLY ONE NAME TO BE CERTIFIED: In filling requisitions filed in accordance with the provisions of Rule 19, only one name shall be certified for each position to be filled. In the cases of waivers of certification for appointment to either permanent or temporary positions, the eligibles next in line for consideration at the time the requisition involved was received and clocked in the office of the Commission shall be offered the position until said position has been filled.

Section 2. SEX: In making certifications, sex shall be disregarded except when a statute, a rule of the Commission or the appointing officer specifies sex. (Sec. 148.)

RULE 21.—WAIVER OF CERTIFICATION

Section 1. MUST BE IN WRITING: All waivers of certification must be in writing and must state in detail the cause of waiver and as to whether the position waived is temporary (or seasonal) or permanent. Waiver of certification for appointment to a permanent position shall include waiver of certification for appointment to a temporary (or seasonal) position unless otherwise stated by the person waiving; but waiving of certification for appointment to a temporary (or seasonal) position shall not adversely affect or interfere with the right of the person waiving, for appointment to a permanent position.

Section 2. DEPARTMENTAL: An eligible may, upon furnishing reasons satisfactory to the Commission, be permitted to permanently waive appointment to a certain department, and such waiver shall be known as "Departmental Waiver" and shall remain in force until the person who so waives has passed another examination for the class of employment waived. Departmental Waivers shall be considered only at the regular meeting of the Commission held on the second Wednesday of the month, and if then allowed shall take effect on the first day of the following calendar month. When such Departmental Waiver has been allowed the person so waiving shall not be considered for permanent appointment in any department, in the class involved, until the first day of the following calendar month when such waiver takes effect.

(Sec. 141)

RULE 22.—WITHDRAWAL OF WAIVER

Withdrawal of waiver of temporary employment and withdrawal of waiver of permanent employment must be requested separately.

Withdrawals of waiver will be considered at the regular meeting held on the

second Wednesday of the month and, when allowed, will take effect on the first day of the following calendar month, provided that an eligible so requesting in writing may be allowed a withdrawal of waiver by the Personnel Director and Secretary to take effect immediately when the eligible list concerned is exhausted.

Eligibles desiring to withdraw waivers may do so by filing in writing in the office of the Commission on the proper civil service form not later than one day next preceding the second Wednesday of the month a request to have such waiver withdrawn and by appearing in person before the Civil Service Commission at the regular meeting when waivers are considered and furnishing at that time full and satisfactory assurance that they will accept appointment when again reached for appointment; provided that on the first request for withdrawal of waiver, an eligible may have such waiver withdrawn without appearing personally before the Commission by submitting to the office of the Commission in writing a statement giving in full the reasons for his inability to appear before the Commission and further stating that he will accept appointment when again reached for appointment.

Upon the third request for withdrawal of waiver of permanent and/or temporary employment for any one class, the Civil Service Commission shall make an investigation and determine whether or not the eligible shall be removed from the eligible list concerned.

Misrepresentation regarding withdrawal of waiver shall be considered good cause for removal of the eligible's name from the register of eligibles.

RULE 23.—FAILURE TO RESPOND

Section 1. **PERMANENT POSITION:** Failure of an eligible to respond within three (3) days (Sundays and legal holidays excepted) to a notice of inquiry or a notice of probable appointment relating to appointment to a permanent position, shall automatically place such eligible under waiver of appointment for both permanent and temporary position until he is excused by the Civil Service Commission under the provisions of "Rule 22—Withdrawal of Waiver".

Section 2. **TEMPORARY POSITION:** As requisitions for eligibles for appointment to temporary positions usually require that the eligibles must report immediately, eligibles sent notice of inquiry, or notice of probable appointment, regarding temporary positions must respond promptly; and if such response is not received by the Civil Service Commission from the eligible personally, or by messenger, or by mail or telephone, before four o'clock P. M. on the second day after the date of the notice sent (Sundays and legal holidays excepted), the eligible involved shall then automatically be placed under waiver of temporary employment until he is excused by the Civil Service Commission under the provision of "Rule 22—Withdrawal of Waiver".

Section 3. **"HOLDOVER":** A "Holdover" who fails to report for duty within three days (Sundays and legal holidays excepted) when notified to do so by the Civil Service Commission, will be subject to the penalty provided in "Rule 33—Absence from Duty Without Leave", provided that a holdover may waive his right to return to duty under a temporary appointment in accordance with the provisions of Section 5 of Rule 26.

Section 4. **CHANGE OF ADDRESS:** In all cases of change of address, the Civil Service Commission must be notified in writing separately and directly, for each class involved. Notice of change of address to the U. S. Post Office only will not be deemed a reasonable excuse for special consideration in case of tardiness of reply.

RULE 24.—APPOINTMENTS

Section 1. **PERMANENT AND TEMPORARY (OR SEASONAL) POSITIONS:** Appointments to permanent positions and temporary (or seasonal) positions shall be made in accordance with the provisions of Rules 15, 18 and 19 and such other rules herein as may apply.

Section 2. **REPORT FROM APPOINTING POWER:** Appointments made from certifications shall be reported on forms provided by the Civil Service Commission. **SUCH REPORTS MUST BE MADE WITHIN THREE DAYS** after the persons certified have reported for duty, must be signed by the appointing officer and must contain the right-hand thumb prints and signatures of the persons who were put to work.

Section 3. **CHANGE FROM ONE CLASS TO ANOTHER CLASS:** An appointee occupying a permanent position in one class who accepts appointment to a permanent position in another class shall be permanently separated from the first named position; provided that, within a period of two years, with the consent of the Civil Service Commission, such appointee may upon his written request,

be reinstated to a vacancy in said first named position, but upon such reinstatement he shall have standing only as a new appointee in said first named position.

Section 4. WHEN AN ELIGIBLE FOR A CERTAIN CLASS IS NOT AVAILABLE: When no list of eligibles is available for an entrance position requisitioned by an appointing officer, the Commission may certify for temporary appointment an eligible from another list deemed by the Commission to be suitable to temporarily provide the service desired, or may authorize the appointing power to make an emergency appointment to such position for a period not exceeding sixty days and only until a regular appointment can be made. No person may serve as an emergency appointee for a period, or periods aggregating, more than ninety days in any fiscal year. When the position involved is a promotive position, the emergency appointment thereto must be made from the next lower rank.

Section 5. TO PREVENT THE STOPPAGE OF PUBLIC BUSINESS: The appointing officer may secure oral permission from a Civil Service Commissioner or from the Secretary of the Civil Service Commission to make an emergency appointment for a period not exceeding three days, provided that such emergency appointment is deemed by such Commissioner or such Secretary necessary to prevent the stoppage of public business or to meet an extraordinary exigency and provided that a reasonable effort has been made to secure an eligible from the Civil Service register. Immediate written notice of the details of such emergency appointment, however, must be sent to the Civil Service Commission containing the name of the appointee and date of his appointment and such notice must be accompanied by a requisition for the certification of a Civil Service eligible. Emergency appointments appearing on payrolls without such authorization shall be disapproved.

Section 6. RESIDENCE OF APPOINTEES: Appointees and employees filling positions in the City and County must, while holding such positions, actually reside in the City and County, "provided, however, that any officer or employee of the City and County may live outside the City and County of San Francisco, upon the authorization of the Director of Health, filed in the office of the Civil Service Commission, and granted on account of the ill health of said officer or employee or the ill health of a member of the immediate family of said officer or employee". The authorization of the Director of Health, when filed in the office of the Civil Service Commission, shall show:

(a) The name, class number and title and department of the official or employee to whom the authorization has been issued;

(b) The address of such person in San Francisco, if any, and his address outside of San Francisco;

(c) Description of his illness;

(d) Dates showing period of time during which authorization is to be effective;

(e) In case authorization has been granted because of ill health of a member of the immediate family, the authorization must also show the name, age and relationship of such member, a description of his illness and its probable length of duration, and the need for residing outside of San Francisco on the part of the official or employee concerned.

Section 7. TEMPORARY CHANGE OF ASSIGNMENT OF DUTIES: No person shall hold a position outside of the classification to which he has been appointed, provided that every employee of any department or office shall discharge any of the duties pertaining to such department or office to which his chief may temporarily assign him. Any such temporary change of assignment made shall immediately be reported to the Civil Service Commission, and such report shall contain the nature of such change, the reason therefor, and the period thereof.

Section 8. APPOINTMENTS TO TEMPORARY CIVIL SERVICE POSITIONS: In order to make possible the prompt filling of temporary positions by the Civil Service Commission, and for the purpose of conserving the time of the appointing officers in the matter of instructing employees in temporary positions, eligibles accepting appointment to temporary positions, regardless of the working hours attached thereto, must do so with the understanding that, while the temporary appointment accepted lasts, they will be deemed to be automatically under waiver of temporary appointment in all other classes of employment in which they have eligibility; provided that an appointment to a "temporary regular position, exempt waiver" or to a "temporary inferior position" may be waived without penalty.

Relinquishment of a temporary appointment of any kind, in any class, shall cause the appointee involved to be immediately and automatically placed under waiver of temporary appointment in all classes of employment and such waivers may be withdrawn only in accordance with the rule on withdrawal of waiver. (Rule 22) No person while holding appointment in a permanent position of one

class shall be considered for temporary appointment in a position of another class. (Secs. 7, 141, 148)

RULE 25.—PROBATIONARY PERIOD

Any appointment to a position declared permanent by the Commission shall be on probation for a period of six months, provided that the probationary period for entrance positions in the uniformed rank in the Police Department shall be for one year. At any time during the probationary period the appointing officer may terminate the appointment. The Commission shall inquire into the circumstances and may declare such person dismissed, or may return the name to the list of eligibles for certification to another department. Immediately prior to the expiration of the six months' probationary period, the appointing officer shall report to the Civil Service Commission as to the competence of the probationer for the position and, if competent, shall recommend permanent appointment.

RULE 26.—REDUCTION IN FORCE

Section 1. **APPOINTIVE JURISDICTION:** Reduction in force in any class shall be treated separately under each appointing officer. In other words, reduction in any class made under one appointive officer shall have no effect on persons appointed in such class under another appointing officer.

Section 2. **PERMANENT POSITIONS:** Whenever it becomes necessary for an appointing officer to reduce the number of persons employed under his jurisdiction in permanent positions in any class, such persons shall be laid off or relieved from duty in the inverse order of their appointment in his jurisdiction and shall be entitled to such rights as are provided in Section 5 of this rule; provided that—

(a) The dates upon which persons were blanketed into their positions by provisions of the Charter shall be deemed to be the dates upon which their Civil Service appointments began, and where ties exist in such dates, the appointing officer may determine the order of precedence for lay-off, but when such order of precedence has once been fixed it shall not thereafter be changed except with the consent of the Civil Service Commission;

(b) When persons have been appointed through requisitions specifying sex they shall be laid off by sex in the inverse order of their appointments; but, in cases where the probationary periods have been served in permanent positions, no lay-off of one sex shall be made for the purpose of substituting the opposite sex on the same work.

Section 3. **TEMPORARY (OR SEASONAL) POSITIONS:** Whenever it becomes necessary for an appointing officer to reduce the number of persons appointed by him to temporary (or seasonal) positions in any class, such persons shall be laid off or relieved from duty in his jurisdiction according to their rank on the list of eligibles—the lowest in rank to be laid off first; and their names shall be returned to their places on the list of eligibles from which they were appointed, provided their eligibility still exists, and subject to the one-day limitation of Section 4, Rule 15. **REPORTS OF LAY-OFF IN TEMPORARY (OR SEASONAL) POSITIONS SHOULD BE MADE IMMEDIATELY TO THE COMMISSION IN ORDER THAT THE ELIGIBLES LAID OFF MAY PROMPTLY BE CERTIFIED FOR OTHER TEMPORARY APPOINTMENTS.**

Section 4. **PROMOTIVE POSITIONS:** Whenever, through lack of work or lack of funds, or because of retrenchment, a person becomes separated from a position he has held through a promotive appointment, such person shall be returned to the position from which he has been promoted, and, if necessary, for this purpose, a reduction in force in the classes affected shall follow in the inverse order of the appointments made in such classes. Persons reduced in rank under this section shall, for a period of four years thereafter, be preferred for reinstatement to the position from which they were reduced, and if not reinstated during such period they must reestablish their eligibility and standing by new examination. For the duration of the war and for six months thereafter, the provisions of this rule shall also apply to persons who are appointed from a regular civil service eligible list to higher classifications in the Civilian War Council or vice persons on leave, even though the examination for the higher classification is not a promotive examination as defined in these rules and upon the abolishment of the Civilian War Council or upon the return of the employee in the higher position from leave, such employee who has been appointed to replace the employee on leave shall be returned to the classification in which he was employed prior to acceptance of the new appointment.

Section 5. **HOLDOVERS:** Any appointee who has served his probationary period in a permanent position, or any person who has been blanketed into his position by charter provision, who has been laid off because of lack of work, lack

of funds, or for purposes of retrenchment, shall, during such lay-off, be termed a "holdover" and, according to his civil service seniority as a permanent appointee in his class under his appointing officer, shall be returned to duty in such classification and under such appointing officer when a vacancy either of a temporary or permanent character exists, provided that such holdover may, with the consent of the Civil Service Commission, waive his right to return under a temporary appointment if he is permanently employed outside the City and County service, and provided further that such holdover may not thereafter withdraw his waiver of a temporary appointment without the special consent of the Civil Service Commission.

During the period that such appointee shall have such status of "holdover" he shall be preferred in his class over eligibles on current lists for transfer to temporary employment under appointing officers other than the one under whom he has status as a permanent appointee. Preference in making such temporary transfers, and lay-offs therefrom, shall be given to the "holdover" that has had the greatest length of service under civil service permanent appointment in the class involved; provided that the date of "civil service permanent appointment" in cases of persons that have been blanketed into their positions by charter provision shall be the date upon which they secured such standing. Resumption of the position, in which such "holdover" has permanent standing shall automatically cancel such temporary transfer and he shall then return to his said regular position.

A "holdover" shall also be entitled to permanent transfer under and subject to the provisions of Rule 34 as though he were still employed in his regular permanent position. Acceptance by a "holdover" of a permanent transfer to a permanent position shall immediately, by such acceptance, automatically cancel all rights held by such "holdover" in and to the position from which he was transferred.

Whenever ties in seniority of service occur, the Civil Service Commission shall determine which appointee shall be preferred.

If the position in which a holdover acquired holdover status is not resumed or re-established within any five-year period, in the department in which the holdover acquired holdover status, the holdover standing of such employee and all status and privileges as such, as defined in this section, shall cease.

Section 6. WAR LAY-OFF: Regardless of any other provisions of this rule, an employee under permanent civil service status in the municipal government may request a lay-off from his permanent position without regard to seniority to accept full time employment either in a governmental agency or war industry in work wholly connected with the war effort, and the Civil Service Commission may grant such request subject to the following conditions:

- (a) that no replacement is necessary and no replacement will be made of such employee during the period of said lay-off;
- (b) that in the judgment of the Civil Service Commission the services of such employee are not needed in a position of the same class in another department;
- (c) that the appointing officer shall approve the request of the employee for lay-off;
- (d) that such lay-off is valid only while the employee granted such lay-off is employed in full time work wholly connected with the war effort and may be cancelled or rescinded by the Civil Service Commission upon one month's notice to such employee who has been granted such lay-off; and
- (e) employees who are reached for regular lay-off as provided in section 2 hereof while on war lay-off shall thereafter be governed by section 5 of this rule.

RULE 27.—RELINQUISHMENT OF POSITIONS

Section 1. TEMPORARY POSITIONS: Any person holding a civil service temporary position, whose services therein have been satisfactory, may, with the consent of the appointing officer and the Civil Service Commission, relinquish such position; but such relinquishment will be treated as a waiver of temporary appointment in all classes of employment until such waiver is withdrawn and the withdrawal is allowed under the rule relating to withdrawal of waivers.

Section 2. PERMANENT POSITIONS: Any person holding permanent appointment in a regular permanent position, whose services have been satisfactory, may, with the consent of the appointing officer and the Civil Service Commission, relinquish said position under the following conditions:

- (a) That he immediately surrenders all rights in and to the position relinquished, and shall take standing on the current list of eligibles for the class

involved according to his examination score, and shall hold such eligibility only for the duration of such current list of eligibles, and shall be subject to removal from such current list of eligibles under the two-year provision of Section 145 of the Charter;

(b) That he shall not again be considered for appointment in the same class under the same appointing officer, except as a new eligible, and then only with the permission of the Civil Service Commission and the written consent of such appointing officer; and

(c) That he shall not be considered for any appointment under any other appointing officer, in the class of position relinquished, until thirty days have elapsed after the day the relinquishment is allowed by the Civil Service Commission, and when thereafter appointed shall be treated as a new appointee and shall serve a new probationary period.

(Sec. 141.)

RULE 28.—RESIGNATION

Section 1. **FORM OF:** Each resignation shall be made on a form provided by the Civil Service Commission, and must contain the full name of the person resigning, the class number and class title of the position from which he resigns, his reason for resigning, a statement that he resigns freely and voluntarily, and a statement of the appointing officer as to whether or not his services have been satisfactory.

Section 2. **ACCEPTANCE AND APPROVAL OF ACCEPTANCE:** Before a resignation shall become effective, it must be accepted by the appointing officer and its acceptance must be approved by the Civil Service Commission. After a resignation has been accepted by the appointing officer, it shall immediately be forwarded to the Civil Service Commission for its consideration and action. When a resignation has been approved by the Civil Service Commission, the separation shall be final and cannot be reconsidered.

Section 3. **DETAILS OF UNSATISFACTORY SERVICE:** When service has been unsatisfactory in the case of a person whose resignation has been accepted by the appointing officer, a detailed statement of the unsatisfactory service shall accompany such resignation when forwarded to the Civil Service Commission for its action.

Section 4. **PENALTY FOR UNSATISFACTORY SERVICE:** The names of persons who resign from their positions while charges are pending against them or while they are under suspension, or who, for any other reasons, in the judgment of the Civil Service Commission, had not been giving satisfactory service, shall be removed from all registers of eligibles, and shall not be permitted to participate in any examination, unless otherwise ordered by the Civil Service Commission because of extenuating circumstances.

(Sec. 141.)

RULE 29.—SUSPENSION AND DISMISSAL

Section 1. **CHARTER PROCEDURE:** No person employed under the Civil Service provisions of this charter, exclusive of members of the Police and Fire Departments as provided under Section 155 of the charter, in a position defined by the Civil Service Commission as "permanent" shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Pending such hearing, the appointing officer may suspend the person so accused; but such suspension shall not be valid for more than thirty days, unless hearing upon the charge shall be delayed beyond such time by the act of the accused person. When charges are made, the appointing officer shall, in writing, notify the person accused of the time and place when the charges will be heard, by mailing such statement to his last known address. The appointing officer shall publicly hear and determine the charges, and may exonerate, suspend or dismiss the accused. The Civil Service Commission shall immediately be notified of the charges when made, of the hearing, and of the finding thereon. The finding of the appointing officer shall be final, unless within thirty days therefrom the dismissed employee appeals to the Civil Service Commission. The appeal and all proceedings shall be in writing and shall briefly state the grounds therefor. The Civil Service Commission shall examine into the case, and may require the appointing officer to furnish a record of the hearing, and may require in writing any additional evidence it deems material, and may thereupon make such decision as it deems just. The order or decision of the Commission upon such appeal shall be final and shall forthwith be enforced by the appointing officer. If the Civil Service Commission shall reverse or alter the finding of the appointing officer, it may, in its discretion, order that the employee affected be paid salary from the time of his discharge or suspension.

The Civil Service Commission may hear and determine any charge filed by a

citizen or by the authorized agents of the Commission when the appointing officer neglects or refuses to act. Removal or discharge may be made for any of the following causes: Incompetence, habitual intemperance, immoral conduct, insubordination, discourteous treatment of the public, dishonesty, inattention to duties, or engaging in prohibited political activities.

The appointing officer may, for disciplinary purposes, suspend a subordinate for a period not exceeding thirty days; and suspension shall carry with it the loss of salary for the period of suspension.

Section 2. NOTICE TO BE FILED: Notice of dismissal of a Civil Service employee by the appointing officer shall be filed immediately in the office of the Civil Service Commission. The notice shall be in the form provided by the Commission and shall state the cause of such removal, the date of the filing of charges and the date of the hearing, and shall be authenticated by the signature of the appointing officer or his authorized representative.

Section 3. FORM AND GROUNDS FOR APPEAL: Any appeal from an order of dismissal, exclusive of members of the Police and Fire Department, shall be filed in duplicate with the Civil Service Commission within thirty days from the date of the finding of the appointing officer upon the charges for dismissal. Such appeal must be in writing on the form provided by the Civil Service Commission, and must briefly and clearly state the reasons upon which it is based. Appeal may be entertained upon any of the following grounds:

(a) That the dismissal was made upon cause not covered by Section 154 of the charter;

(b) That the evidence was insufficient to support the charge;

(c) That new evidence has been discovered, which the employee did not have an opportunity to present at the hearing of the charges, and which, if heard, would probably have produced a different decision. (Such new evidence must be stated in substance, and names and addresses of new witnesses given.)

Section 4. COPY OF APPEAL TO BE TRANSMITTED: One copy of the statement of appeal shall be transmitted to the appointing officer from whose decision the appeal is made. The appointing officer shall be allowed fifteen days in which to file an answer, and may, by a special order of the Commission, be granted further time, not exceeding ten days.

Section 5. CHARGES FILED BY CITIZEN: Charges filed against any Civil Service employee by a citizen or by an investigator employed by the Civil Service Commission shall be made in writing upon forms provided by the Commission and verified on oath before the secretary of the Commission or some other person authorized by law to administer oaths for general purposes. The complaint must show that the conduct complained of has been brought to the attention of the appointing officer, and that for a period of thirty days he has refused or neglected to act. In each complaint shall be set forth the name of the accuser and the accused and a brief statement of the cause on which removal is asked; and if an offense be charged the complaint shall set forth with particularity the time and place of commission. A copy of the complaint shall be sent the accused by registered mail to the last address furnished by him to the Commission, together with notice that he has ten days to file a verified answer. Such period of ten days may be extended by written order of any of the Commissioners for periods not longer in the aggregate than twenty days. A failure to file an answer within the time allowed shall be construed as a waiver of trial by the accused, and the Commission may try the charges ex parte and without further notice to the accused. When the accused files an answer within the time fixed, a day shall be set for the trial, which shall not be less than five days thereafter, and the accuser and the accused shall be notified. The finding and decision of the Commission upon such trial shall be final, unless a rehearing be granted within thirty days.

Section 6. EFFECT OF DISMISSAL: Any Civil Service appointee, dismissed from employment for cause, shall, unless otherwise ordered by the Commission within thirty (30) days from the date of such dismissal be removed forthwith from all eligible registers, and shall not be permitted to participate in any examination except with the consent of the Commission.

(Sec. 154.)

RULE 30.—ANNUAL VACATION

Section 1. EMPLOYEES ENTITLED TO VACATION: Every employee in the City and County service, except certificated employees in the Board of Education, shall be allowed an annual vacation as provided herein as long as he remains in the City and County service.

Section 2. DURATION OF VACATION AND COMPENSATION THEREFOR: Employees shall be allowed a vacation of two calendar weeks, and the compensation paid to employees during the vacation period shall be the amount

the employee would earn during his vacation period if working at his current rate of pay and work schedule without the inclusion of overtime earnings, subject to the following provisions:

(a) That one day's pay shall be deducted from the vacation allowance for each thirty days of absence without pay in excess of sixty days of absence without pay since the preceding vacation (or in the case of the first vacation, since the date of appointment), which absences in both cases shall be cumulative, provided that days of absence covered by Workmen's Compensation, sick leave with pay or days of absence up to two months of sick leave without pay, or any days of absence because of inclement weather, shall not be charged against the vacation allowance.

(b) That employees who, in accordance with the charter provisions, have been suspended for disciplinary purposes shall have deducted from their vacation allowance one day's pay for each thirty days of such suspension since the preceding vacation (or in the case of the first vacation, since the date of appointment).

(c) That employees of the Municipal Railway who are paid a "range" time shall receive compensation for such "range" time while on vacation, provided that such vacation compensation for their regular work schedule plus "range" time shall not exceed eight hours per day.

(d) That no deduction shall be made from vacation compensation on the presumption that if the employee had been on duty he would have laid off because of inclement weather.

(e) That a calendar week for the purposes of this rule is hereby defined as seven consecutive days, which may begin on any day of the week.

Section 3. VACATION SCHEDULES: Vacation schedules shall be arranged at the discretion of the appointing officer, with particular regard to seniority of employees and the needs of the service, and insofar as possible with regard to the wishes of employee; provided that employees shall not divide their vacation allowance into periods of less than seven consecutive days except where less than seven days of vacation are due; provided further that no employee shall be denied a vacation to which he is entitled; and provided further that no employee shall be allowed a vacation prior to the first anniversary of his employment. No employee shall be allowed more than one vacation in any calendar year, except that when, in the case of the first vacation, the date of the first anniversary of employment falls within the last two weeks of the calendar year, the employee shall be allowed to start his vacation within such two-week period prior to the end of the calendar year and complete such vacation in the following calendar year provided that such vacation time shall be continuous and such vacation shall not bar the employee from vacation during the second year of service.

Section 4. VACATION FOR EMPLOYEES OCCUPYING TEMPORARY POSITIONS: Employees occupying positions defined by the rules of the Civil Service Commission as temporary positions shall be governed by the provisions of this rule, except as herein provided. Temporary employees must establish their right to vacation by the completion of a year of continuous service from the date of appointment. For the purpose of this section, a continuous year of service shall be considered to be continuous when within such year an employee has served 11½ months under certification, and/or emergency appointment, and/or appointment exempt from civil service. Temporary employees who have completed a year of continuous service (and who are thereby eligible for two weeks' vacation) shall thereafter, for intermittent temporary service, be allowed one day of vacation for each thirty days of temporary service, such days of vacation to be cumulative, provided

(a) That vacation earned within the twelve-month period dating from the completion of the first year of continuous service (and in subsequent years the anniversary of such date) shall be taken during the eighteen-month period following the date (or anniversary) of the completion of the first year of continuous service.

(b) That such vacation as provided under this section shall not exceed two weeks of vacation in any calendar year.

(c) That vacation allowance shall not be approved if the vacation period is not covered by proper certification and appointment.

Section 5. VACATION TIME NOT TO BE USED TO WORK FOR PAY ELSEWHERE: Employees shall not accept paid employment elsewhere while on vacation. If any employee does accept paid employment while on vacation, he shall forfeit the vacation compensation to which he is otherwise entitled under this rule; provided, however, that because of the present urgent need for utilization to the fullest extent of all manpower and womanpower available for the prosecution of the war and for the production of war materials and equipment and for the harvesting of crops and for the production of foodstuffs for the support of the people of the United States, municipal employees, while on vacation from their

municipal employment, may accept other employment which is essential to the prosecution of the war and for the production of war materials and equipment and for the harvesting of crops and for the production of foodstuffs for the support of the people of the United States, or directly connected therewith subject to the following conditions:

(a) Such employees shall, before accepting such employment, file with the Civil Service Commission a statement setting forth:

(1) The nature of the proposed employment;

(2) The name of the employer;

(3) A statement that the employer understands that the services of the municipal employee are to be available only during his vacation period; and

(4) A statement to the effect that there are no other persons available for employment who possess the particular skill and qualifications of said municipal employee who is on his vacation and that his services are necessary to enable the particular employer to carry on the work of producing war materials and equipment, or for the harvesting of crops or for the production of foodstuffs for the support of the people of the United States; any employee of the City and County of San Francisco making a false statement in this regard shall be deemed guilty of dereliction of duty.

(b) The Civil Service Commission shall determine that the proposed employment of said municipal employee on vacation is essential to the prosecution of the war and necessary for the production of war materials and equipment or for the harvesting of crops for the production of foodstuffs for the support of the people of the United States, and should any vacationing municipal employee be notified that said Civil Service Commission has determined to the contrary, it shall be the duty of said employee to abandon his said vacation employment.

RULE 30A.—TIME OFF TO COMPENSATE FOR OVERTIME WORKED

Section 1. The term overtime in excess of their normal work week is hereby defined to mean work performed on any day in excess of the actual number of hours of work each day normally required of the respective employees in their respective departments and places of employment in order to constitute, when continued for five, five and one-half, or six days, the five, five and one-half or six-day week respectively within the minimum and maximum limits of hours as set forth in Section 4 of Ordinance No. 2184 and in conformity with Section 220 of the Charter and the requirements of city business, provided that any time worked in excess of eight hours on any one normal work day, or in excess of four hours on any normal half work day, shall be considered overtime, with the exception of additional time worked under the provisions of Ordinance 4.0511, providing for a five-day work week. Time worked on legal holidays heretofore recognized and allowed in the department shall be considered as overtime worked.

Section 2. Time off equal to overtime worked may, on the recommendation of the appointing officer, and the approval of the Civil Service Commission, be allowed to employees whose rates of pay are established in Salary Standardization Ordinance No. 2184, but who are ineligible under Section 4 of said Ordinance for payment of time and one-half their rate of pay for overtime worked.

Section 3. Employees whose compensations are established under Salary Standardization Ordinance No. 2184 who are required to work on legal holidays recognized this year by appointing officers, but not recognized in 1942, may be allowed equal time off for work performed on such holidays, and such work may be deemed overtime and be subject to all of the provisions of this rule.

Section 4. Overtime worked by employees covered by Section 2 hereof shall be reported to the Civil Service Commission by the appointing officer on forms provided by the Civil Service Commission.

Section 5. The fixing of dates for the allowance of equal time off for overtime shall be at the discretion of the appointing officer, but such equal time off may not be allowed after the close of the fiscal year within which the overtime was worked, provided that upon the filing of written satisfactory reasons by the appointing officer as to why, in certain cases, equal time off cannot be allowed within the fiscal year in which the overtime was worked, the Civil Service Commission may permit such equal time off to be taken in the first or second months of the next following fiscal year.

Section 6. All time off allowed because of overtime worked shall be indicated in hours on timereolls, and by the letters OW.

Section 7. No part-time employee shall be allowed to accumulate time off for overtime worked.

RULE 30B.—OVERTIME FOR MONTHLY EMPLOYEES

Employees occupying positions allocated to classifications for which compensations are fixed in the Salary Standardization Ordinance (Ordinance 2184) on a monthly basis or on a per diem basis not covered by Section 2.3 of the annual salary ordinance, who are required to work overtime in excess of a normal work week, shall be paid for such overtime work at the rate of time and a half the regular salary fixed for such service in Ordinance 2184 provided that such overtime payments shall not be made to employees occupying executive or administrative positions.

The term "overtime in excess of their normal work week" is hereby defined to mean work performed on any day in excess of the actual number of hours of work each day normally required of the respective employees in their respective departments and places of employment in order to constitute, when continued for five, five and one-half or six days, the five, five and one-half or six day week respectively within the minimum and maximum limits of hours as set forth in Section 4 of Ordinance No. 2184 and in conformity with Section 220 of the Charter and the requirements of city business, provided that any employee who works more than eight hours on any one normal work day, or more than four hours on any normal half work day, shall be entitled to overtime at the rate set forth herein.

Absence from duty because of leave with pay, annual vacation, or legal holidays generally recognized and approved in the department shall be considered as time worked in computing a work week for overtime purposes.

Overtime for monthly employees shall be paid on an hourly basis. The Civil Service Commission shall cause a schedule of hourly rates to be established for this purpose in accordance with the provisions of Section 151 of the Charter, and the hourly rates established by the Civil Service Commission shall be the basis for payment of overtime worked. No employee shall be compensated for overtime worked as herein provided except on the specific approval of the appointing officer and unless funds are available to pay for such overtime worked, or unless an actual emergency exists as provided by law.

Overtime compensation shall be shown separately on supplemental timeroles opposite the name of the employee.

Each timeroles which provides for overtime payment shall indicate the actual hours and dates on which the overtime was worked, the overtime hourly rate and total overtime compensation earned, nature of the duties performed, and such other information as is generally indicated on regular timeroles.

No employee shall be paid for overtime worked as herein provided unless the duties performed by him during such overtime worked are performed at the regular office or location of the position of the employee involved and the work performed is included in the Civil Service classification of the employee.

If and when the Civil Service Commission determines that overtime payments in a department are excessive and finds that the required work can be performed to better advantage and more economically than through overtime work, the Civil Service Commission shall so report to the Board of Supervisors in order that the Board of Supervisors may consider the advisability of establishing additional employments in such departments.

The Civil Service Commission shall submit to the Board of Supervisors each month a report showing the amount of overtime compensation in each department during the preceding month under the terms of this ordinance.

The Civil Service Commission shall ascertain and determine the normal work day of the several employees whose compensation is fixed on a monthly basis as based on the respective services with their respective departments and places of employment as in effect during the fiscal year 1942-1943, and overtime payments shall be allowed to said employees accordingly.

RULE 31.—LEAVES OF ABSENCE, WITHOUT PAY

Section 1. HOW GRANTED: Requests for leaves of absence without pay may be granted by the appointing officer under the provisions of this rule, but shall not become effective until approved by the Civil Service Commission.

Section 2. REQUEST FOR: Requests for leaves of absence without pay must be made on forms provided by the Civil Service Commission, and, when applied for under Section 3 of this rule, must show the following:

(a) That the position from which the leave is sought is a permanent position and that the applicant has served his probationary period therein;

(b) The reason of the applicant for desiring the leave.

Section 3. **WHEN LIMIT IS SIX MONTHS:** Leave of absence to any officer or employee for the purpose of leaving the City and County, taking a position outside of the City and County service, or accepting a position in some department or office of the City and County other than the one in which he is employed and where the duties are in no way related to the duties covered by his civil service classification, shall be limited to six months and may not be extended beyond that time by renewal. After the employee has been on leave for an aggregate of six months, under the provisions of this section, and has returned to duty, no subsequent requests for leaves of absence for the purposes recited in this section shall be made by the employee or approved by the Civil Service Commission except (a) if the employee has been actually occupying a civil service position and continuously performing the duties thereof for a period of at least one year immediately prior to his latest request, and (b) if the intent of the charter and this rule, namely, to prevent employees' retaining status in their civil service positions for unduly long and extended periods while occupying other positions in or out of the San Francisco municipal service, is not circumvented by the granting of such leave.

Section 4. **WHEN WITHOUT LIMIT:** (a) No limit shall be placed on a leave of absence granted to enable an officer or employee to accept promotion to a non-civil service position, or promotion to correlated work in another department or office of the City and County, or while serving under a limited tenure appointment as defined under Section 145.1 of the charter in another classification. (b) Sick leave, not subject to pay benefits, may be allowed for the period of the illness; provided that such sick leave may be terminated when in the judgment of the Civil Service Commission its further continuance would be detrimental to the service.

Section 5. **EDUCATIONAL LEAVE:** Any employee, holding appointment to a permanent position under the City and County may, under the authority of Section 7 of the Charter and with the approval of the appointing officer and the Civil Service Commission, be granted a leave of absence from such position without pay, to secure additional education or training, in a recognized institution, that will make him more valuable in his position with the City and County, but such leave shall not exceed one year, and no other position carrying pay shall be occupied during such leave.

Section 6. **EXPIRATION, CANCELLATION OR TERMINATION:** Leaves of absence without pay shall remain in force for the period granted, unless cancellation or abridgement is allowed by order of the Civil Service Commission. No cancellation, or abridgment, of leave of absence without pay shall be allowed in any case when such action will cause a Civil Service appointee to be laid off, except in cases of leaves granted under Section 4 of this rule.
(Sec. 153.)

RULE 31.1.—MILITARY LEAVES

Section 1. **OFFICERS AND EMPLOYEES ELIGIBLE FOR MILITARY LEAVES OF ABSENCE:** The head of the respective department, office, board or commission of the City and County of San Francisco, with the approval of the Civil Service Commission, and subject to the provisions of Section 153 of the Charter and Sections 382 to 385 of the Municipal Code, shall grant military leaves of absence for active service or training to the following officers and employees for the services enumerated herein:

(a) Any officer or employee of the City and County of San Francisco, or any uncertificated officer or employee of the Unified School District of said City and County; provided, that the temporary appointment of an employee serving under temporary civil service appointment at the time of induction or enlistment in the military service as hereinafter set forth shall be terminated upon induction into said service and his name shall be returned to the list of eligibles from which he was appointed, provided such eligible list is still in force and effect;

(b) Any person under probationary appointment as an officer or employee of said City and County or said Unified School District;

(c) Any person having rank or place on any civil service list of eligibles for appointment to any position under the government of said City and County, or to any uncertificated position under said Unified School District.

Section 2. **SERVICES FOR WHICH MILITARY LEAVES OF ABSENCE SHALL BE GRANTED:**

(a) Any branch or division of the United States—

A. Army;

B. Navy;

C. Marine Corps.

- (b) Any branch or division of the State of California—
 - A. National Guard;
 - B. Naval Militia;
 - C. State Guard;
 - D. Home Guard.
- (c) Any service for national defense or preparedness required by mandatory order of—
 - A. The Government of the United States or by lawful and mandatory order of any of its departments or officers;
 - B. The Government of the State of California or by lawful and mandatory order of any of its departments or officers.
- (d) Any service in connection with the operation of any vessel of the Merchant Marine of the United States.
- (e) Services essential to the prosecution of the war for which an employee who is subject to draft has been deferred from military duty by order of his draft board, but leaves shall only be granted in such cases when the draft board certifies to the Civil Service Commission that the employee has been deferred from military duty by reason of such essential service.

Section 3. DURATION OF MILITARY LEAVES OF ABSENCE: The head of the respective department, office, board or commission, with the approval of the Civil Service Commission, shall grant military leaves of absence, except as hereinafter provided, as follows:

(a) Time of War: Military leave of absence shall be granted in time of war to begin not prior to two weeks before the date of actual induction into the military service and shall continue throughout the period of the military service and for a period not exceeding ninety days after demobilization or release of the officer or employee from active military duty, but in no case to extend beyond one year after the proclamation of peace following any war. If any such officer or employee fails to return to his position in the municipal service as herein provided, his appointment to such position shall be deemed terminated. In case of disability incurred in line of duty, which shall extend beyond the period of leave granted under this section, the period of such military leave shall be extended throughout the duration of the disability but not to exceed five years after the proclamation of peace, and in such instances eligibility of such persons shall cease five years after the proclamation of peace unless the Civil Service Commission shall make an order to the contrary.

(b) Time of Peace: Military leave of absence shall be granted in time of peace for the period of service or training.

Section 4. CIVIL SERVICE STATUS: When any person on such military leave of absence has been appointed to a permanent position, he shall be entitled to resume a position in the same class and department at the expiration of his leave of absence. Any officer or employee granted military leave under the provisions of this rule who is serving a probationary appointment in his position at the time such leave is granted shall be deemed to have satisfactorily completed his probationary period six months following the date of such appointment thereto and shall thereupon be deemed a permanent employee, provided that probationary employees in Class Q2 Policeman shall be deemed to have completed their probationary period one year following date of appointment thereto. The term of service or training for which such military leave of absence was granted shall be reckoned a part of his service under said City and County in computing seniority in the municipal service but not in computing earned sick leave allowance. The calculation of vacation allowance due such officer or employee shall be as provided by the Vacation Ordinance for leave without pay. In time of war when any person on such military leave of absence has standing on an eligible list, he shall retain his place thereon for the duration of the eligible list and thereafter for a period not to exceed two (2) years after the proclamation of peace. Upon presenting an honorable discharge or release under honorable conditions from such active service or training for which said military leave of absence was granted, he shall be preferred for appointment in the order of his standing upon such eligible list at the time of his commencement of said military leave of absence and before candidates securing standing through an examination held subsequent to the granting of such military leave of absence. In time of peace when any person on such military leave of absence has standing on an eligible list, he shall retain his place thereon during the period of such leave of absence unless said eligible list shall expire prior thereto, but if his name has been reached for certification to any permanent position during such period of eligibility he shall be preferred for appointment at the end of his military service. A temporary appointment shall be made to said position to serve during the military leave of absence of said person whose name is reached for certification, and on expiration

of said leave of absence said person shall be certified for appointment to said position.

Section 5. EXCEPTIONS AND LIMITATIONS TO DURATION OF MILITARY LEAVES OF ABSENCE:

(a) **Elected Officer:** Military leave of absence granted an elected officer shall not extend beyond the period of time for which he was elected; provided, however, if said officer is re-elected for an ensuing term of office, said leave of absence shall be automatically extended to cover such ensuing term.

(b) **Officer Appointed for Definite Period:** Military leave of absence granted an officer appointed for a definite period of time, as provided for by the Charter of said City and County, shall not extend beyond the period of time for which he was appointed; provided, however, if said officer is reappointed to such position for an ensuing period of time, said leave of absence shall be automatically extended to cover such ensuing period of time.

(c) **Officer or Employee Exempted by Charter from Civil Service Examination:** Military leave of absence granted an officer or employee exempted by the Charter of said City and County from civil service examinations, except those provided for in subdivisions (a) and (b) of this section, shall not extend beyond the period of time for which his appointing officer was himself elected, or appointed, or holds such office.

Section 6. PROOF OF DUTY: Any person applying for military leave of absence shall, at such time, file with the Civil Service Commission a copy of the orders requiring such service or training for which said leave of absence is requested. Upon discharge or release from such service or training for which said leave of absence was granted, said person shall file with the Civil Service Commission a copy of such discharge or release from said service or training; provided, however, if a person on such leave of absence has standing on an eligible list, he must present an honorable discharge or release under honorable conditions from such service or training before being eligible for appointment from said eligible list.

Section 7. LEAVE WITH AND WITHOUT PAY: Whenever any officer or employee of the City and County of San Francisco or any uncertificated officer or employee of the Unified School District of said City and County, including persons under probationary appointment, has been in the employ of said City and County or said Unified School District for one (1) year or more continuously prior to the date upon which said military leave of absence begins, he shall be allowed his regular salary or compensation during such leave of absence, but in no event shall he be paid during such leave of absence for more than thirty (30) days in any calendar year in time of peace; nor for more than thirty (30) days for any period or periods of military leave or leaves of absence in time of war; provided, however, that any person granted a leave of absence under the provisions of paragraphs (d) or (e) of Section 2 of this rule shall not be entitled to any salary or compensation for all or any portion of such leave or leaves of absence.

Section 8. DEFINITION: For purposes of administration of this rule, the term "enlisted" as used in Section 153 of the Charter shall be deemed to mean and include "drafted", "conscripted", or "inducted", and the term "enlistment" as used in Section 153 of the Charter shall be deemed to include the period of service rendered in the military forces of the United States which is covered by a military leave granted under the provisions of this rule.

RULE 31.2.—MILITARY LEAVES (For Non-Military Service in the War Effort)

(a) The Civil Service Commission may grant leaves of absence to officers and employees of the City and County, except members of the Police and Fire Departments, for the purpose of accepting employment in service directly connected with the prosecution of the war or national defense or preparedness when, in its judgement, the Civil Service Commission determines that the officer or employee making application therefor possesses a skill which is needed in the war effort or national defense or preparedness and such skill is not utilized in his municipal employment, or if such officer or employee is utilizing such skill in his municipal employment, the Civil Service Commission determines that the granting of such leave will not disrupt or curtail essential municipal services.

(b) The Civil Service Commission shall grant such leaves to officers and employees only if the Civil Service Commission determines that the proposed employment is directly connected with the prosecution of the war or with national defense or preparedness, and that the granting of such leave would further the war effort or national defense or preparedness and would not disrupt or curtail

essential municipal services. Appointment of a new person to replace an employee granted leave under this rule shall continue only for the period of such leave.

(c) Such leaves as may be granted under the terms of this rule may continue for the duration of the war emergency and not longer than three months after the cessation of hostilities. Such leaves shall be automatically terminated if the officer or employee either voluntarily or involuntarily leaves the service for which the leave was granted. In the event the officer or employee leaves the service for which the leave was granted, such officer or employee shall forthwith report to the Civil Service Commission for return to duty in his municipal employment or he may file a new request with the Civil Service Commission in the same manner as provided herein for the original request if he desires to accept other work directly connected with the prosecution of the war or national defense or preparedness. In the event the officer or employee desires to return to his municipal position he shall be returned to duty therein if a position of his classification and under his appointing officer is available to which such officer or employee is eligible, according to his years of service, under the rules of the Civil Service Commission, and if no such position is available he shall assume the status of a holdover as defined by the rules of the Civil Service Commission and shall be entitled to the benefits thereof as provided by rule of the Civil Service Commission. In the event that a request is filed for a new leave, the officer or employee must show evidence of satisfactory service in the position in the war effort for which the previous leave or leaves were granted.

(d) If any officer or employee is granted a military leave (for non-military service in the war effort) pursuant to the provisions of this rule and during the period that such leave is in force such officer or employee becomes subject to lay-off under the rules of the Civil Service Commission governing reduction in force, the military leave (for non-military service in the war effort) shall thereupon be automatically terminated and the employee shall be laid off in accordance with the rules of the Civil Service Commission governing reduction in force and shall be governed thereafter by the provisions of such rule.

(e) Officers and employees serving probationary periods under civil service appointment or serving under limited tenure appointments shall not be granted leaves under the provisions of this rule. Periods of leave granted under this rule shall not be calculated as City and County service, except for purposes of the Retirement System as provided in Section 161 of the Charter.

(f) Leaves granted under the provisions of this rule shall be designated military leaves (for non-military service in the war effort). Application therefor shall be made by the officer or employee on forms provided by the Civil Service Commission and shall contain the information requested therein. Requests for military leave (for non-military service in the war effort) shall be filed by the officer or employee with the appointing officer under whose jurisdiction he serves. The appointing officer shall either approve or disapprove the request and shall without delay forward the request of the officer or employee with or without his approval to the Civil Service Commission for action. The Civil Service Commission shall investigate the circumstances of the request of the officer or employee and shall consider all of the circumstances in connection therewith and shall thereupon approve or disapprove the request of the officer or employee in accordance with its judgment. The appointing officer shall indicate on the request whether the position will be filled during the absence of the officer or employee requesting the leave. If the appointing officer disapproves such request, he shall state his reasons therefor. The action of the Civil Service Commission in approving or disapproving a request for military leave (for non-military service in the war effort) shall be final.

(g) No officer or employee granted military leave (for non-military service in the war effort) under the terms of this rule shall be entitled to any salary or compensation for any portion of such leave of absence, nor shall compensation for such officer or employee for any portion of such leave be approved or paid by any officer or employee of the City and County.

RULE 32.—SICK LEAVES AND DISABILITY LEAVES, WITH PAY

Section 1. **GENFRAI. REQUIREMENT:** The officers and employees of the City and County of San Francisco shall be entitled to sick leaves with full pay, and disability leaves in accordance with laws, rules and regulations of the Retirement Board, subject, however, in both instances, to the provisions of this rule.

Section 2. **DEFINITION OF SICK LEAVE:** A leave of absence granted under this rule, because of illness or injury, and not covered by Section 3 of this rule, shall be known as "sick leave".

Section 3. **DEFINITION OF DISABILITY LEAVE:** A leave of absence

granted under this rule for one of the following causes, shall be known as a "disability leave",

(a) Absence due to quarantine established and declared by the Department of Public Health or other competent authority.

(b) Absence necessitated by death of mother, father, husband, wife, child, brother or sister; provided that in such case the leave shall not extend beyond the date of burial of said deceased person.

(c) Absence necessitated by death of other relatives; but leave with pay in such cases shall be for not more than one (1) day to permit attendance at the funeral of said person.

(b) Absence due to disability caused by illness or injury arising out of, and in course of, employment.

Section 4. PERIODS OF SICK LEAVE: Officers and employees who are subject to the provisions of Section 153 of the Charter, and who have regularly occupied their positions continuously for at least one year, shall be entitled to two weeks' sick leave, with full pay, annually, during their occupancy of said positions; providing that where it is necessary for the appointing officer to employ and pay a substitute in the stead of an absentee who is paid on an hourly or per diem basis, said sick leave, if it is for five days' duration or less, shall be without pay. Such annual sick leave of two weeks, with pay, when not used, shall be cumulative, but the accumulated unused period of sick leave shall not exceed six (6) months, regardless of length of service, except as provided in Section 5 hereof.

Section 5. ACCUMULATION OF SICK LEAVE: Officers or employees who are in the service of the city and county at the time this rule takes effect shall be entitled to an accumulation of two (2) weeks' sick leave with pay for each year of service, until the maximum of six (6) months' accumulation has been reached; provided that when said maximum accumulation of six (6) months has been reached, and thereafter part of said maximum accumulation of six (6) months has been used, the used part of said maximum may again be replenished at the rate of two (2) weeks for each subsequent year of service. Sick leaves with pay allowed since the present Charter became effective on January 8, 1932, shall be deducted from the above-mentioned accumulations, and a statement, by the applicant, of all such sick leaves had since January 8, 1932, to the date of the adoption of this rule, must accompany all requests for sick leave with pay.

Section 6. PERIODS OF DISABILITY LEAVES, AS DEFINED IN ITEMS (a), (b) AND (c) OF SECTION 3 HEREOF: Leaves of absence with full pay, allowed because of quarantine established by the Department of Public Health, or other competent authority, shall be for the period of such quarantine only. Leaves of absence with pay, allowed because of deaths of relatives, shall be limited to the periods mentioned in items (b) and (c) of Section 3 of this rule.

Section 7. ABSENCE DUE TO DISABILITY CAUSED BY ILLNESS OR INJURY ARISING OUT OF AND IN THE COURSE OF EMPLOYMENT: Officers or employees of the City and County of San Francisco who are absent from duty because of disability arising out of and in the course of their employment, shall be governed by the provisions of the "Workmen's Compensation Insurance and Safety Act" of the State of California and such rules as may be made under authority thereof by the Industrial Accident Commission; and the allowance of benefits and leaves of absence of said persons, in accordance with the provisions of said Act, shall be under the jurisdiction of the Retirement Board.

Section 8. APPLICATION FOR SICK LEAVE OR FOR DISABILITY LEAVE: Applications for Sick Leave or for Disability Leave as defined in subdivisions (a), (b), and (c) of Sec. 3 of this rule, shall be made to the head of the department in which the person making said application is employed, provided that the Manager of Utilities, the Director of Public Works, the Director of Public Health and the Director of Finance and Records may authorize the head of any department, bureau, division or officer, under their respective jurisdictions, to grant and approve the allowance of sick or disability leaves of absence. When any application for a sick leave of absence or disability leave of absence is denied by the respective persons herein authorized to grant the same, the applicant may appeal to the Civil Service Commission from said denial, and the said Commission shall cause the facts on which said application is based to be investigated and may, upon said investigation, make such order in the premises as said Commission shall deem just, which said order shall be final.

No sick leave exceeding five (5) days shall be granted to any person unless there is presented by the person asking for said sick leave and with the application therefor, a physician's certificate stating the necessity for said sick leave. The head of the department or other officer to whom said application is made may make such independent investigation as to the necessity for said sick leave as he

shall deem proper. When, in case of a sick leave, pay is allowed for the period of the first five days, or any part thereof, the officer, board or commission granting the same shall certify to the Civil Service Commission that he has personally investigated the case and has found it deserving. Illness caused by dissipation or by immoral conduct shall not be made the basis of any sick leave.

Section 9. REPORTS TO CIVIL SERVICE COMMISSION: The officer, board or commission granting sick or disability leave shall immediately report the action to the Civil Service Commission on such forms as the Civil Service Commission may provide. Said officer, board or commission shall thereafter report on such cases when required to do so by the Civil Service Commission but return to duty of an appointee who had been on sick leave shall be immediately reported to said Civil Service Commission. The Civil Service Commission may at any time make such independent investigation as it shall deem proper regarding the illness of any person on sick leave and particularly when any such person has been on sick leave with pay for more than ten continuous days.

All applications for sick leave, with or without pay, for periods exceeding five (5) days, granted to officers and employees of the city and county under authority of this rule, shall be accompanied by physicians' certificates which shall show the cause or necessity for such sick leaves, and the physicians authorized to issue said certificates are as follows:

- (a) The Department Physician for the Fire Department;
- (b) The Police Surgeon for the Police Department;
- (c) The physician designated by the Director of Health for the Department of Health;
- (d) The physician designated by the Civil Service Commission for all other departments.

In the cases of all sick leaves, with or without pay, of five days or less duration, granted under the authority of this rule to officers or employees of the City and County, the appointing officers or their representatives shall certify to the Civil Service Commission that they have made investigation of such cases and found them deserving.

Section 10. RETIREMENT ON PENSION AUTOMATICALLY TERMINATES LEAVE OF ABSENCE: Whenever a leave of absence has been granted under this rule to any officer or employee, and such officer or employee during such leave is retired on pension, his leave of absence shall automatically terminate on the date of his retirement on pension; provided, however, that any allowance or compensation made under authority of the Workmen's Compensation Law shall continue to be paid to said retired employee in accordance with the provisions of said law.

Section 11. POLICE AND FIRE DEPARTMENTS: Sick leaves and disability leaves granted to members of the uniformed forces of the Police Department and Fire Department shall be regulated by rules adopted respectively by the Police Commission and Fire Commission, which rules, and amendments thereto, shall be subject to the approval of the Civil Service Commission, and when so approved by the Civil Service Commission shall be deemed as included in this rule.

Section 12. POSITIONS TO WHICH THIS RULE SHALL NOT APPLY: The provisions of this rule shall not apply to certificated employees of the Board of Education for whom sick leaves, with pay, are governed by State Law, nor to positions of patrol special officers appointed by the Police Commission.

Section 13. PAY ROLLS AND TIME SHEETS: Sick leaves, with pay, granted under this rule shall be indicated on pay rolls and time sheets by the letters S. L. P. (Sick leave with full pay); and disability leaves, with pay, granted under this rule, shall be indicated on pay rolls and time sheets by the letters D. L. P. (Disability leave with full pay).

(Sick leave rules of the Police and Fire Departments, approved Minutes of November 24, 1937)

RULE 33.—ABSENCE FROM DUTY WITHOUT LEAVE

Absence from duty without leave or permission from the head of the department, or failure to report for duty at the expiration of leave of absence or vacation, shall be considered "inattention to duties" within the meaning of Section 154 of the charter, and shall be good cause for suspension or dismissal under the provisions of said Section 154 of the charter; provided, however, that failure to report for duty in any case when the maximum period of six months' leave has

been allowed by the Civil Service Commission under the charter, and has expired, or failure of a "holdover" to report for duty when notified to do so by the Civil Service Commission, shall be deemed automatic abandonment of position and the position shall then be deemed automatically vacated and the name of the person involved shall stand removed from the Civil Service register.
(Sec. 141)

RULE 34.—TRANSFERS

Section 1. **FOR THE GOOD OF THE SERVICE:** Whenever, in the judgment of the Civil Service Commission, it is for the best interests of the service, an employee holding permanent appointment under a regular Civil Service position under one appointing officer may, upon his written request, be transferred by the Civil Service Commission to a permanent regular position of the same class under another appointing officer; provided the employee requesting such transfer must state in his written request the department to which he seeks transfer, and such request, before it is filed in the office of the Civil Service Commission, must, unless otherwise ordered by the Civil Service Commission, contain the approval of the appointing officers of the departments concerned, and such request may specify only one appointing officer to whose department transfer is sought; and provided further that such request for transfer will not be considered in connection with the filling of any vacancies except with the approval of the Civil Service Commission and after such request has remained on file in the office of the Civil Service Commission for a period of at least 30 days; and provided further that a person so transferred under this section shall begin as a new appointee in the position to which he is so transferred and shall serve therein a new probationary period; and provided that the acceptance of such transfer by an appointee shall immediately and automatically cancel all his rights in the position from which he was transferred. In making transfers under this section, preference shall be given to the appointee who has a clean record and who has had the longest service under Civil Service permanent appointment in his class; provided that the date of "Civil Service permanent appointment" in cases of persons that have been blanketed into their positions by charter provision shall be the date upon which they secured such standing.

No change in the salary or compensation of a person transferred under this section shall be caused by such transfer, except under the following conditions:

(a) When the employee to be transferred is receiving salary or compensation in excess of the maximum salary rate recommended by the Commission on April 9, 1930, or as said salary plan may be extended, such employee must accept salary reduction to the maximum rate so fixed for his class;

When an appointee has been transferred under this section, and his transfer, or new appointment, is terminated by the appointing officer during the probationary period, the Civil Service Commission may declare such appointee dismissed, or may again consider him under the provisions of this section for transfer to a position of the same class under another appointing officer; provided that no appointee otherwise shall be entitled to more than one transfer under this section, for the same class of employment, except with the special permission of the Commission.

Transfers of "holdovers" may be made as provided by Section 5 of Rule 26, and as provided by this Section 1 of this Rule 34, except that "holdovers", while they are without employment in a permanent position, and have actual status as such holdovers, may, subject to the later approval of the Civil Service Commission, make blanket request for transfer to the first vacancy thereafter occurring in another position of the same class in any department and under any appointing officer.

Section 2. **TRANSFER OF DISABLED:** When a Civil Service employee other than a member of the Police and Fire Department, who has served not less than three years in his position, has become incapable through age, accident or other disability, of performing the duties of his position, the Civil Service Commission may, with the consent of the appointing officer and proper showing of disability, transfer him to an existing position within his capacities, whether or not within the class for which he qualified for appointment; but such position shall be one having a lesser compensation than the one from which he may be transferred, and his compensation shall not thereafter be increased.
(Sec. 141)

RULE 35.—SALARY INCREASE

All officers and employees subject to salary standardization shall enter the service at the minimum rate for the class involved as set up in the currently existing salary ordinance unless such ordinance shall specifically provide other-

wise, and shall advance to the maximum rate for such class in accordance with the provisions of such ordinance. Persons appointed under Section 4 of Rule 24 as an emergency appointee shall be paid the minimum rate established for the class involved, provided that where the salary ordinance specifically provides for certain classes that employees shall enter the service at other than the entrance salary, such emergency employees shall be governed by such provisions.

RULE 36.—HOLDING OF MORE THAN ONE SALARIED POSITION

No person holding a full time position under civil service appointment shall be allowed to hold any other paid position in the City and County government, or in the San Francisco Unified School District, or in any other governmental jurisdiction, or in private employment, when such other position may have the effect of reducing the efficiency of such employee in his civil service position.

Any employee holding a position under civil service appointment who also holds any other paid position shall inform the Civil Service Commission of the nature of such other employment.

Employees of the municipal service who desire to accept part time employment in addition to their regular civil service positions, in other classifications, or in other city departments, or in private industry, must first secure approval from the Civil Service Commission. Requests for approval to accept part time employment must be made on forms provided by the Civil Service Commission. The request for such approval must state the nature of the proposed employment, the hours to be worked per week, and the proposed place of part time employment; it must be approved by the officer having appointive power over the employee's regular full time position and it must have a statement from the part time employer that he knows the employee is regularly employed on a full time basis in the city service and that he is employing him subject to compliance with the rules of the Civil Service Commission concerning the holding of more than one salaried position.

Persons accepting part time employment may not be employed over 24 hours per week in addition to their regular work week.

The Civil Service Commission, on the basis of investigation and report by the Secretary and Personnel Director, shall decide whether the holding of two positions affects the efficiency of the employee in his civil service position. If it is the decision of the Civil Service Commission that the efficiency of the employee in his civil service position is affected by the holding of any other position, then such employee shall resign from such other position within thirty days after order by the Civil Service Commission. If, after such decision by the Civil Service Commission, the employee refuses to resign from his other employment, then such refusal shall be deemed to be "insubordination" and such employee shall be removed in accordance with procedures as stated in Section 154 of the Charter.

RULE 37.—PARTICIPATION IN POLITICS

Section 1. PROHIBITION OF POLITICAL ACTIVITY: Active participation in City and County politics, relative to the election or appointment of public officials, by Civil Service employees and eligibles of the City and County, is subversive of the best interests of the merit system, and therefore persons holding positions in the classified Civil Service or on eligible lists for such positions shall take no active part in such political campaigns, or in soliciting votes, or in levying, contributing or soliciting funds or support, in each case for the purpose of favoring or hindering the appointment or election of candidates for City and County offices. Violation of the provisions of this section shall be deemed an act of insubordination and considered good cause for suspension or dismissal from position or removal from eligible list.

Section 2. CANDIDACY FOR ELECTIVE OFFICE PROHIBITED: Any appointive Civil Service officer or Civil Service employee of the City and County who shall become a candidate for election by the people to any public office shall automatically forfeit such City and County office or position.

(Sec. 157.)

RULE 38.—DUTY OF APPOINTING OFFICERS

It is the duty of every appointing officer to make himself familiar with all the Civil Service provisions of the Charter and with all the provisions of the rules of the Civil Service Commission, and to comply promptly with those provisions. Failure to do so will retard the work of the Civil Service Commission and may cause loss of pay to employees or loss of work to eligibles. When in doubt regarding Civil Service procedure, an appointing officer should apply immediately to the Civil Service Commission for advice.
(Sec. 141.)

RULE 39.—SERVICE RECORDS

When a valid and workable method of securing records of service of civil service employees is perfected, the Civil Service Commission shall establish, in accordance with charter provision, an inspection service for the purpose of investigating the conduct and action of appointees in all positions and of securing records of service for promotion and other purposes.

RULE 40.—PRESIDENT AND SECRETARY

Section 1. **PRESIDENT:** The Civil Service Commission shall appoint one of its members as President, to hold office under such appointment for a term, ending June 30 of each odd numbered year, or until a successor has been appointed.

Section 1a. **VICE PRESIDENT:** The Civil Service Commission shall also appoint one of its members as Vice President, to hold office under such appointment for a term ending June 30 of each odd numbered year, or until a successor has been appointed.

Section 2. **SECRETARY:** The Civil Service Commission shall appoint a Secretary, who shall be the executive officer of the Commission and who shall hold office at the pleasure of the Commission.
(Secs. 19 and 140.)

RULE 41.—REGULAR AND SPECIAL MEETINGS

Section 1. **REGULAR MEETINGS:** The Commission will meet in regular session in its office in the City Hall every Wednesday at 4:30 o'clock p. m.

Original petitions, or original requests for rulings, must be filed in writing in the office of the Commission before 12 o'clock noon on Monday, and, when so filed, will be heard at the regular meeting to be held on the Wednesday next following. Persons filing such petitions or requests shall, without further notice, be present at such hearings. No oral request for ruling will be considered at a meeting.

When the Commission has rendered its decision on any original case, such ruling will not be reconsidered unless within thirty days after such ruling the Commission shall consent to reopen the case. Requests for permission to file detailed written petitions for such reconsideration must be made orally to the Commission, within such thirty days, at a regular meeting of the Commission. Any requests for reconsideration made otherwise shall be disregarded.

Requests for ruling on moot questions or hypothetical questions will be filed without discussion or decision.

Section 2. **SPECIAL MEETINGS:** A special meeting of the Commission may be called by the President of the Commission, and must be called by the President upon the written request of a majority of the members of the Commission. At least twenty-four hours' notice shall be given of the holding of a special meeting. No business shall be transacted at a special meeting except that for which the meeting is called.

Special meetings of the Commission for the purpose of considering and adopting examination questions shall not be open to the public.

(Sec. 19.)

RULE 42.—AMENDMENT OF RULES AND OF CLASSIFICATIONS

The Commission may, upon one week's notice, make changes in the rules, which changes shall thereupon be published, and be in force; provided that no such change in rules shall affect a case pending before the Commission. The classification of positions may be amended at any meeting.

(Sec. 19.)

RULE 43.—SUSPENSION OF RULES

Any rule of the Civil Service Commission may be suspended at a regular meeting of the Commission with the consent of the three Commissioners, provided that if one member of the Commission shall be absent on military leave granted and approved pursuant to charter provisions, or absent from the State on leave granted by the Board of Supervisors, or if a vacancy exists on the Commission, any such rule may be suspended at a regular meeting with the consent of the two remaining Commissioners.
(Sec. 141.)

RULE 44.—CITY ATTORNEY'S OPINIONS

Whenever, in the judgment of the Commission, it becomes necessary to secure the opinion of the City Attorney on any legal question, such opinion shall be requested to be in writing, and, when received, shall be entered in full on the minutes of the regular meeting held following such receipt.
(Sec. 141.)

RULE 45.—COURT ACTIONS

Whenever a suit or legal action is brought against the Commission, the City Attorney shall be requested to defend the Commission, and, in the event of adverse ruling, shall in all such instances carry the proceedings to the highest court for final decision.
(Sec. 141.)

RULE 46.—DEFINITION OF TERMS

The term "Appointing Officer", when used in these rules, shall mean the officer who has the appointing power in a department or of an organization unit of the City and County government, having the powers of a Department Head, as defined in Section 20 of the Charter.

The term "Commission", when used in these rules, shall mean the Civil Service Commission of San Francisco.

The term "City and County", when used in these rules, shall mean the City and County of San Francisco.

The term "Department" when used in these rules shall mean any department or organization unit of the City and County government under a separate appointing officer as provided in Section 20 of the Charter.

The section number appearing at the end of rules refers to the sections of the Charter.

RULE 47.—LIMITED TENURE APPOINTMENTS

Section 1. RECRUITMENT: Whenever as provided by Section 145.1 of the Charter the Civil Service Commission deems it necessary to qualify applicants for wartime Limited Tenure Appointments, it shall by resolution adopt a "Bulletin" announcing tests for Limited Tenure Appointments for the position or positions to be filled and shall specify therein such conditions to govern the tests as it shall deem necessary and proper to recruit such personnel.

The Bulletin shall be posted on the bulletin board in the office of the Civil Service Commission and otherwise distributed as the Commission deems advisable to attract the attention of qualified applicants. Notices or announcements of tests for Limited Tenure Appointments shall be advertised as provided in Section 144 of the Charter. Receipt of applications for Limited Tenure Appointments shall continue until further order of the Commission or until the required personnel has been obtained, depending on the order of the Commission as set forth in the Bulletin announcing the tests for Limited Tenure Appointments.

The official designation "Bulletin", announcing tests for Limited Tenure Appointments, shall distinguish such notice from the official "scope-circular" used to announce regular Civil Service examinations conducted under the provisions of Section 145 of the Charter.

Section 2. APPLICATION PROCEDURE: Applications must be filed in person in the office of the Civil Service Commission on the special "Limited Tenure" application forms provided and must be signed by the applicant and shall contain full and complete answers to all questions. Any false statement made by an applicant may be deemed by the Civil Service Commission as sufficient grounds to cause rejection of his application and to bar such applicant from participation in any future Civil Service examinations. Applications shall be dated and upon being filed shall be stamped with the date and time stamp, which date

and time stamp shall determine the order of priority of filing of the application.

Every applicant at the time of filing his application must be a citizen of the United States, must meet the minimum requirements and pass the tests established by the Civil Service Commission for the position applied for. Unless otherwise ordered by the Civil Service Commission, all applicants must be residents of the City and County of San Francisco for at least one year prior to making application. Applicants who fail to meet the requirements set forth in the Bulletin shall be so advised and shall immediately stand rejected without further order or notice from the Civil Service Commission.

Section 3. TESTS: The tests shall include the subjects and parts set forth in the Bulletin announcing the test and the Commission will also establish in the Bulletin the minimum passing mark in each subject or part which must be attained in order to qualify for Limited Tenure Appointment. The tests shall be administered by the Examining Division of the Civil Service Commission at the time the application is filed or as soon thereafter as practicable and shall be conducted in accordance with the provisions of the Bulletin. Applications of those who fail to appear for the tests at the time designated for the tests or any part thereof shall be automatically rejected and cancelled. The names of those applicants who attain the minimum passing marks fixed by the Commission shall be placed on the list for Limited Tenure Appointment in order of priority of filing of application. Applicants who fail to attain the minimum passing mark fixed by the Civil Service Commission shall be so advised orally and shall stand rejected without further order or notice from the Civil Service Commission.

Section 4. NOTICE OF PROBABLE APPOINTMENT: A person whose name is reached for Limited Tenure Appointment shall be so informed by mailing to him a notice of probable appointment to a Limited Tenure Appointment or by sending him forthwith to the appointing officer with such notice. A person who does not accept a Limited Tenure Appointment when notified of probable appointment or having accepted appointment fails to report for duty as directed shall be removed without further order or notice from the Limited Tenure list involved, provided however that persons thus removed shall have the right of appeal to the Civil Service Commission, who shall make such order as it may deem just and proper under the circumstances. Provided, further, that a person who is reached for a limited tenure appointment who is certified from an eligible list or another limited tenure list must so report to the Civil Service Commission and will not be offered any other employment from a limited tenure list until he reports to the Commission that he has completed such certification.

Section 5. TENURE OF POSITIONS: Applicants for Limited Tenure Appointment shall indicate on their applications whether they will accept appointment to a position the estimated tenure of which is not more than five months, or whether they will accept appointment only to a position the tenure of which is indefinite and is expected but not guaranteed to continue for the duration of the war. The estimated probable tenure of a position shall be determined by the Civil Service Commission from the statement of the appointing officer, as set forth on the requisition or through such investigations as the Commission shall cause to be made. Applicants who have indicated on their applications that they will not accept appointments with an estimated tenure of not more than five months will not be offered such appointments, but their names will be retained on the list of Limited Tenure eligibles for appointment to positions that are estimated to continue for the duration of the war.

Applicants or eligibles shall be allowed to waive appointments to any given department or to indicate the department or departments in which they will accept employment, but when such action has been recorded it cannot thereafter be changed, and eligibles will thereafter be offered employment only in accordance therewith.

Section 6. CERTIFICATION AND APPOINTMENT:

CERTIFICATION: Certification to Limited Tenure Appointments shall be made in response to regular "Requests for Certification" when eligibles are not available for appointment from registers established through the regular examination procedure as provided under Section 145 of the Charter.

Certifications shall be made on a special form bearing the title "Certification to Limited Tenure Appointment", which form shall advise the appointing officer that such appointment is made in the absence of eligibles qualified through the regular examination procedure and may continue during the absence of eligibles on a list created through the regular examination procedure as provided under Section 145 of the Charter but in no case to exceed six months beyond the cessation of hostilities.

Certification to Limited Tenure Appointments shall be made from the Limited Tenure list for the class involved in the order of the names appearing thereon, subject to the provisions of Section 5 hereof; provided, however, that if the person whose name appears highest on the list is not immediately available, the per-

son whose name is highest on such list who is immediately available may be appointed to serve until such highest eligible is appointed.

REPORT OF APPOINTMENT: Report of appointment by the appointing officer shall be made on a special form furnished by the Commission bearing the title "Report of Limited Tenure Appointment", which form will indicate that the appointing officer and the applicant understand the conditions of such appointment.

Such report must be made within three days after the person certified to Limited Tenure Appointment has reported for work. It must also be signed by the appointing officer and contain the right-hand thumb print and signature of the person put to work.

Section 7. RELEASE AT EMPLOYEE'S REQUEST: Persons desiring to be released from a Limited Tenure Appointment shall fill out a special form of release provided by the Commission. Such form must contain the full name of the person requesting release, the title of the position from which he is requesting release, his reasons therefor, and a statement of the appointing officer as to whether or not his services have been satisfactory. Unless otherwise ordered by the Commission, the name of such eligible shall be removed from the limited tenure list involved without further order or notice.

Section 8. TERMINATION OF SERVICES:

(a) **WHEN ELIGIBLE IS AVAILABLE FROM A LIST ESTABLISHED BY REGULAR CIVIL SERVICE PROCEDURE:** The appointing officer shall immediately terminate the services of a person appointed to a Limited Tenure Appointment when an eligible from a register of eligibles established through regular examination procedure is certified and reports for duty, and report such termination upon forms provided by the Civil Service Commission, and the name of such Limited Tenure appointee shall thereupon be returned to the list from which he was appointed at his regular rank thereon.

(b) **FOR LACK OF WORK OR FUNDS:** The appointing officer may terminate the services of a person appointed to a Limited Tenure position at any time because of lack of work or funds and immediately report such termination on forms provided by the Civil Service Commission.

(c) **ABSENCE DUE TO SICKNESS.** When a limited tenure appointee certified on a temporary requisition who has not earned sick leave with pay is absent on account of illness for a period exceeding five days the appointing officer shall terminate his appointment. The Commission shall make such order as it may deem just and proper in the circumstances, provided however, that formal requests for sick leave without pay with doctor's certificate for a period over five days may be submitted by a limited tenure appointee certified on a permanent requisition and may be approved by the Civil Service Commission.

(d) **ABSENCE DUE TO OTHER REASONS:** The appointing officer may terminate a Limited Tenure appointment immediately for absence without permission. Unauthorized absence of a Limited Tenure appointee for a period of over five consecutive days shall automatically terminate the appointment. The Commission shall make such order as it deems just and proper in the circumstances, provided however that formal requests for leave without pay may be submitted by a limited tenure appointee certified on a permanent requisition and may be approved by the Civil Service Commission if it deems it advisable.

(e) **TERMINATION FOR CAUSE.** Limited Tenure Appointments may be terminated by the appointing officer for good cause at any time provided such action is approved by the Civil Service Commission. The appointing officer shall advise the Commission prior to the termination of appointment of Limited Tenure appointees for cause and give his reasons therefor. The Commission shall make such order as it deems just and proper in the circumstances.

Section 9. No person holding a Limited Tenure Appointment shall acquire any right to permanency in the position held under such appointment, but satisfactory service under a Limited Tenure Appointment may be considered by the Civil Service Commission toward minimum experience required for admission to a regular Civil Service Examination when the experience under such Limited Tenure Appointment is deemed acceptable by the Civil Service Commission.

Section 10. Any position to which are attached unusual duties or conditions may, with the approval of the Secretary of the Civil Service Commission, be termed an inferior position and eligibles for limited tenure appointments may waive appointment to such positions without penalty, but such waiver may not thereafter be removed.

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